

621—12.15(20,22) Applicability. This chapter does not:

1. Require the agency to index or retrieve records which contain information about individuals by that person's name or other personal identifier.
2. Make available to the general public records which would otherwise not be available under the public records law, Iowa Code chapter 22.
3. Govern the maintenance or disclosure of, notification of or access to, records by the regulations of another agency.
4. Apply to grantees, including local governments or subdivisions thereof, administering state-funded programs, unless otherwise provided by law or agreement.
5. Make available records compiled by the agency in reasonable anticipation of court litigation or formal administrative proceedings. The availability of such records to the general public or to any subject individual or party to such litigation or proceedings shall be governed by applicable legal and constitutional principles, statutes, rules of discovery, evidentiary privileges, and applicable regulations of the agency.

Key: O = Open
 C = Confidential Records (may or shall be withheld from public inspection)
 O/C = Partly Open, Partly Confidential
 N/A = Not Applicable
 Y = Yes
 N = No
 P = Paper Medium or microfilm
 C = Data Processing medium

Note: All numerical citations are to the Iowa Code unless otherwise shown

Nature & Description of Record	Type of Record	Confidentiality Authority	Access by Personal Identifier?	Contains Personal Info?	Personally Identifiable Collection Authority	How Stored?
<p>I. Complaint Case Files</p> <p>A complaint that any person, organization or public employer has violated the Public Employment Relations Act (Act) may be filed by any person, employee organization or public employer. These files contain information which pertains to the alleged violation of the Act, its investigation and resolution, and appeals within the agency. During the investigatory/mediation stage the file may contain mediator notes which are confidential.</p>	O/C	22.7(20), 20.1(4), 20.6(5), IAC 621—subrule 7.3(4).	Y/N Y - only if complainant or respondent is an individual.	Y - names, address and telephone number of individuals. May also include transcript testimony and exhibits containing personal information.	20.1(2), 20.6(4), 20.11, IAC 621—8.6(20).	P
<p>II. Bargaining unit, representation, decertification, unit reconsideration, amendment of unit, unit clarification, revocation of certification and amendment of certification case files.</p> <p>These documents are the record of the agency establishment of appropriate bargaining units, conduct of secret ballot elections and monitoring of the merger, affiliation and disaffiliation of certified labor organizations. These files may contain mediator notes which are confidential. Representation and decertification files contain a “show of interest” in which public employees indicate by an original signature whether they wish to be represented by or decertify a certified labor organization. “Show of interest” records are confidential.</p>	O/C	22.7(20), 20.1(4), 20.6(5), IAC 621—subrule 7.3(4). IAC 621—subrule 4.3(3).	Y/N - only if petitioner is an individual.	Y - names, address and telephone number of individuals. May also include transcript testimony and exhibits containing personal information.	20.1(1), 20.13-15, 20.6(4).	P
<p>III. Negotiability Dispute Case Files</p> <p>A petition for an expedited ruling on a negotiability dispute may be filed by a public employer or certified employee organization requesting the agency to determine whether a specific contract proposal is a mandatory, permissive, or illegal subject of bargaining under Section 9 of the Public Employment Relations Act. Such files contain documents concerning the agency’s determination of that question.</p>	O	N/A	N	Y - names, addresses, and telephone numbers of the parties’ representatives.	20.6(4)	P

<p>IV. Declaratory Order Case Files</p> <p>Any person, public employer or employee organization may petition the agency to issue a declaratory order as to the applicability of a statute, rule or order within the primary jurisdiction of the agency. Such files contain documents concerning the proceedings, including the agency's determination.</p>	O	N/A	Y/N Y - only if petitioner is an individual.	Y - names, addresses and telephone numbers of individuals.	20.6(4)	P
<p>V. Contract Negotiation Impasse Case Files</p> <p>As the first step in the performance of their duty to bargain, the public employer and the certified employee organization shall agree upon impasse procedures to assist the parties in concluding a collective bargaining agreement. These files contain the request for impasse services, relevant correspondence and mediator notes which are confidential.</p>	O/C	22.7(20), 20.1(4), 20.6(5), IAC 621—7.3(4).	N	Y - names, addresses and telephone numbers of individuals or parties' representatives.	20.1(4), 20.19, 20.20-22	P/C
<p>VI. Neutral Files</p> <p>The agency maintains biographical data on qualified mediators, fact-finders and interest arbitrators to assist in resolving contract disputes. The agency also maintains a list of qualified grievance arbitrators to issue decisions concerning grievances arising under a labor agreement and a list of teacher termination adjudicators selected pursuant to Chapter 179, <u>The Code</u>.</p>	O	N/A	Y	Y - names, addresses, telephone numbers and biographical data of neutrals.	20.1(4), 20.6(3), 20.20-22	P/C
<p>VII. Employee Organization Files</p> <p>The Public Employment Relations Act requires each certified employee organization to file certain information with the agency. These files contain an employee organization's constitution and bylaws, annual financial report and audit, and order of certification and amendments thereto, if any.</p>	O	N/A	N	Y - names, addresses and telephone numbers of relevant employee organization officers and representatives.	20.25	P
<p>VIII. State Employee Appeals of Grievance Decisions and Disciplinary Action Case Files</p> <p>Certain state employees have the statutory right to appeal to the agency from a response from the director to the Iowa Department of Personnel regarding the employee's grievance, discharge, suspension or demotion.</p>	O/C	22.7(11), 19A.15.	Y	Y - names, addresses and telephone numbers of individuals. May also include transcript testimony and exhibits containing personal information.	20.1(3) 19A.14(1)(2)	P

IX. Index and Digest of Grievance Arbitration Decisions	O	N/A	Y/N Y - only if grievant is identified in the title of the arbitration decision.	Y - names, addresses and telephone numbers of individuals. May also include transcript testimony and exhibits containing personal information.	20.1(3)	P
<p>The agency maintains as a part of its Information Service a digest and subject matter index of decisions issued by grievance arbitrators. This information is located at the agency office, community college libraries, the Drake University and University of Iowa law libraries and the University of Iowa business school library.</p>						
X. Wage and Benefit Contract Summaries	O	N/A	N	N	20.1(5)	P
<p>The Public Employment Relations Act requires the agency to collect and disseminate information concerning the wages, hours and other conditions of employment of public employees. This information, which is identified by employer/certified employee organization, is part of the agency's Information Service located at the agency office, community college libraries, Drake University and University of Iowa law libraries and the University of Iowa business school library.</p>						
XI. Agency Personnel Files	O/C	22.7(11)	Y/N Y - only for current employees.	Y - names, addresses and telephone numbers of individuals, payroll records, biographical information, medical information, performance reviews and evaluations, disciplinary information, information required for tax withholding and other information concerning the agency/employee relationship.	20.5(1), 20.5(4).	P
<p>The agency maintains files containing information regarding employees, their families and dependents, and applicants for positions with the agency, some of which is confidential.</p>						
XII. Litigation Files	O/C	22.7(4)	Y/N Y - if a party to the litigation is an individual.	Y - names, addresses and telephone numbers of individuals. May also include transcript testimony and exhibits containing personal information.	20.1(6), 20.11(10), 20.11(11), 20.11(4).	P
<p>These files contain information regarding litigation or anticipated litigation involving the agency. In addition to briefs, correspondence, research materials, etc., these files contain materials which are confidential as attorney work product and attorney-client communications.</p>						

<p>XIII. Internal Agency Records</p> <p>These records include agendas, minutes and materials presented to the agency, including documents generated during the promulgation of rules.</p>	O/C	21.5	N	Y - these records may contain information regarding individuals who participate in agency meetings.	21.3	P
<p>XIV. Administrative Records</p> <p>These records include documents concerning the budget, property inventory, purchasing, time sheets, printing and supply requisitions.</p>	O	N/A	N	N	N/A	P