

**Senate Study Bill 1226 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON LABOR AND BUSINESS  
RELATIONS BILL BY  
CHAIRPERSON SCHULTZ)

**A BILL FOR**

1 An Act relating to public safety employees and collective  
2 bargaining units for purposes of public employee collective  
3 bargaining and including effective date and applicability  
4 provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 20.1, subsection 2, paragraph a, Code  
2 2019, is amended to read as follows:

3 a. Determining appropriate bargaining units, amending  
4 the composition of previously determined bargaining units  
5 represented by a certified employee organization, reconsidering  
6 and altering the composition of previously determined  
7 bargaining units which are not represented by a certified  
8 employee organization, and conducting representation elections.

9 Sec. 2. Section 20.3, subsection 11, Code 2019, is amended  
10 by adding the following new paragraph:

11 NEW PARAGRAPH. g. A peace officer employed by a regents  
12 institution.

13 Sec. 3. Section 20.13, Code 2019, is amended to read as  
14 follows:

15 **20.13 Bargaining unit determination, amendment, and**  
16 **reconsideration and alteration.**

17 1. ~~Board~~ The board's determination of an appropriate  
18 bargaining unit shall be upon petition filed by a public  
19 employer, public employee, or employee organization. Except  
20 as provided in subsection 3, the board's amendment of a  
21 represented bargaining unit shall be upon petition filed by  
22 the public employer or certified representative of the unit.  
23 The board's reconsideration and alteration of a previously  
24 determined bargaining unit that is not represented by a  
25 certified representative shall be upon the combined petition  
26 of an employee organization which also seeks a representation  
27 election pursuant to section 20.14, subsection 2.

28 2. Within thirty days of receipt of a petition, the  
29 board shall conduct a public hearing, receive written or  
30 oral testimony, and promptly thereafter ~~file~~ issue an order  
31 defining the appropriate bargaining unit, amending or refusing  
32 to amend the composition of a represented bargaining unit,  
33 or reconsidering and altering or refusing to reconsider and  
34 alter the composition of an unrepresented bargaining unit.  
35 In defining the unit, or determining whether a unit should

1 be amended or reconsidered and altered in response to a  
2 petition for amendment or reconsideration and alteration,  
3 the board shall take into consideration, along with other  
4 relevant factors, the principles of efficient administration  
5 of government, the existence of a community of interest among  
6 public employees, the history and extent of public employee  
7 organization, geographical location, and the recommendations  
8 of the parties involved.

9     3. Notwithstanding the provisions of subsection 1, a  
10 petition to amend the composition of a represented bargaining  
11 unit by the removal of all public safety employees from the  
12 unit may be filed by a public safety employee who is a member  
13 of the unit. If the petition is accompanied by evidence  
14 satisfactory to the board that the public safety employees  
15 in the bargaining unit do not constitute at least thirty  
16 percent of the employees in the unit and that a majority of  
17 the public safety employees in the unit support the petition,  
18 the board shall, within thirty days of finding such evidence  
19 satisfactory, conduct a public hearing, receive written or oral  
20 testimony, and promptly thereafter issue an order granting or  
21 denying the requested amendment to the composition of the unit.  
22 If the board amends the bargaining unit by removing the public  
23 safety employees from the unit, the board shall not consider  
24 any of the following unless a period of two years has elapsed  
25 since the date of the removal:

26     a. A petition filed pursuant to subsection 1 that would  
27 determine a bargaining unit that would include any removed  
28 public safety employee still employed by the same public  
29 employer.

30     b. A petition filed pursuant to subsection 1 that would  
31 amend a represented bargaining unit or reconsider and alter a  
32 previously determined bargaining unit if acting on the petition  
33 would result in the inclusion of any removed public safety  
34 employee employed by the same public employer in a bargaining  
35 unit.



1 units which are not represented by a certified employee  
2 organization.

3 The bill provides that amendment by the PERB of a public  
4 employee collective bargaining unit represented by a certified  
5 representative shall be upon petition filed by the public  
6 employer or certified representative of the bargaining unit.  
7 The bill provides that reconsideration and alteration by the  
8 PERB of a previously determined public employee collective  
9 bargaining unit that is not represented by a certified  
10 representative shall be upon the combined petition of an  
11 employee organization which also seeks a representation  
12 election. The bill provides that procedures of the PERB  
13 applicable to determining a public employee collective  
14 bargaining unit apply to amending a represented bargaining  
15 unit or reconsidering and altering a previously determined  
16 bargaining unit.

17 The bill provides that a petition to amend the composition  
18 of a public employee collective bargaining unit represented  
19 by a certified representative by removing all public safety  
20 employees from the bargaining unit may be filed by a public  
21 safety employee who is a member of the bargaining unit.

22 The bill requires the PERB to conduct a public hearing to  
23 receive written or oral testimony within 30 days of receiving  
24 such a petition if the petition is accompanied by evidence  
25 satisfactory to the PERB that the public safety employees in  
26 the bargaining unit do not constitute at least 30 percent of  
27 the employees in the bargaining unit and that a majority of  
28 the public safety employees in the bargaining unit support  
29 the petition. After the hearing, the bill requires the PERB  
30 to promptly thereafter issue an order granting or denying the  
31 requested amendment to the composition of the bargaining unit.

32 If the PERB amends the public employee collective bargaining  
33 unit by removing the public safety employees from the  
34 bargaining unit, the bill prohibits the PERB from considering  
35 certain bargaining unit petitions unless a period of two

1 years has elapsed since the date of the removal. The first  
2 prohibited petition is a petition that would determine a  
3 bargaining unit that would include any removed public safety  
4 employee still employed by the same public employer. The  
5 second prohibited petition that would amend a represented  
6 bargaining unit or reconsider and alter a previously determined  
7 bargaining unit if acting on the petition would result in the  
8 inclusion of any removed public safety employee employed by the  
9 same public employer in a bargaining unit.  
10 The bill takes effect upon enactment.