

## Table of Contents

Charles E. Boldt Retires	1
2009 PERB Conference	1
PERB Website	1
Guest Perspective: Jeffrey A. Krausman	2-3
Statutory Impasse	
Timeline Guide	3

## Charles E. Boldt Retires

Charlie Boldt retired from his position as a PERB administrative law judge earlier this month.

Charlie Boldt's labor relations career started with AFSCME in 1976. Charlie was active at the State level organizing and bargaining the first contract for the security bargaining unit. He worked for AFSCME in 1979-80 and again in 1984-88 as a Staff Representative bargaining and enforcing contracts in northeast Iowa.

Charlie started with PERB in late 1988, and he was later named Coordinator of Mediation Services. Charlie trained, assigned, and supervised PERB's ad hoc mediators state-wide. Charlie mediated approximately 2,000 contracts, grievances, prohibited practice complaints, unit, and state merit cases. Charlie was also administrative law judge in approximately 50 cases.

Charlie is listed on PERB's fact finding and arbitration lists as well as the Kansas Department of Labor, Minnesota Bureau of Mediation Services, and the Wisconsin Employment Relations Commission. Starting next year, Charlie will also do ad hoc mediation for PERB. Charlie's mediation and arbitration business will allow him to continue to do what he has been successfully doing for the last thirty-two years. The only thing that will change is that Charlie will have more time with his twin granddaughters of whom he is so very fond and proud.

## 2009 PERB Conference

The 2009 PERB Conference will highlight 35 years of collective bargaining under the Public Employment Relations Act. The Conference will be held on October 8 and 9, 2009, at the West Des Moines Marriott, 1250 Jordan Creek Parkway, West Des Moines, Iowa. Any ideas for conference topics may be addressed to Jim McClimon at [james.mcclimon@iowa.gov](mailto:james.mcclimon@iowa.gov).

## PERB's Website

PERB's statutory duty to assist labor and management resolve disputes and PERB's responsibility to provide data and information relevant to collective bargaining and workplace issues inspired the development of PERB's website at <http://iowaperb.iowa.gov>. Our website includes:

- The full text of the Public Employment Relations Act, Chapter 20.
- The full text of PERB's administrative rules.
- The full text of fact-finding and interest arbitration decisions from 2001 to present including an index by employer, union, association, neutral, and issue(s).
- Current wage settlements as reported to PERB by labor and management representatives.
- A full-text database which allows word search of PERB and court decisions, collective bargaining agreements, and neutral decisions.
- An Alternative Dispute Resolution section which outlines grievance and contract mediation services provided by PERB, as well as PERB training and facilitation of labor-management committees and interest-based bargaining.
- Biographical information on neutrals approved by PERB to serve as teacher termination adjudicators, fact-finders, and interest and grievance arbitrators.

<http://iowaperb.iowa.gov/>

The Public Employment Relations Board newsletter is published by the Iowa PERB. The opinions expressed should not be considered official opinions of the Iowa PERB. Address inquiries and correspondence to James A. McClimon, Editor, at [james.mcclimon@iowa.gov](mailto:james.mcclimon@iowa.gov).

## Guest Perspective

*This feature provides an opportunity for practitioners, neutrals or other interested persons to share their opinions and viewpoints on topics related to Chapter 20. PERB intends to provide a wide variety and balance of viewpoints over time in selecting contributors to this column.*

### It's A People Business

by Jeffrey A. Krausman

In the more than thirty years I have practiced law in Iowa I have never ceased to be amazed at the quality and character of the vast majority of the people who work in and volunteer service to the public sector. I strongly believe that it is the fairness, practicality, and good will characteristic of Iowans, coupled with a balanced law, drafted through compromise and accommodation, that has created a positive labor relations environment in this state. With brief, minor bumps along the road, Iowa has avoided the strikes, anger and ill will that have tainted some public sector labor relations in other jurisdictions. We have many people to thank for creating the positive climate in Iowa, and we should work diligently to maintain the spirit of cooperation as we consider the future of Iowa's public sector labor laws.

Enacting Iowa's public sector bargaining law took hard work by people who gained little political credit for their efforts. Building a state agency to administer that law also required skill and an understanding that the agency's effectiveness was tied to its credibility, both as a truly neutral broker among competing constituents and as a technically competent organization. I am grateful to have had an opportunity to have observed those efforts, and I would like to give some credit where credit is due.

In January of 1974 I was a second year law school student working part time in the Governor's Office of Planning and Programming when the Director of that agency assigned me to follow the progress of the collective bargaining bill through the Iowa House of Representatives. Governor Robert Ray, a moderate Republican, was prepared to sign a bill that established a reasonable framework for public sector bargaining, a risky position for the Governor who had already been challenged for his office from the more conservative wing of his party. Governor Ray understood that the best way to avoid illegal strikes and disruptions in government services was to create a framework in which employee rights were respected, but the needs of the citizens were equally important.

Among my duties in 1974 was the task of attending much of the House debate on the bill. From the House gallery I watched Republican Brice Oakley floor manage the bill that would become Chapter 20 of the Code. Representative Oakley had the daunting job of passing a bill granting meaningful rights in the face of resistance

from some members of his own caucus. To achieve this goal he relied on Democrats in the House who, in spite of their preference for a bill more closely modeled on the National Labor Relations Act, were willing to moderate those views to forge a bipartisan majority to pass the bill. Rep. Oakley was often aided by fellow Republican Ed Bittle in developing the compromises that would produce a balance of rights for employees while protecting the interests of efficient government and local control, and together they withstood the attacks of the naysayers both inside and outside of their party to get the law passed.

When appointing the initial Public Employment Relations Board members, Governor Ray focused on balance and competence. As Chair he appointed Judge Ed Kolker who brought his legal abilities (including his formidable writing talents) and the skill of conducting hearings in a fair and competent manner. John Loihl brought both technical and practical experience from his work with the National Labor Relations Board. Vern Cook, a career firefighter and long time school board president, brought both union and management experiences to the decision making process, seeing cases with the perspective of one who had held responsible positions on both sides of the labor relations table. The initial board understood the importance of neutrality, and emphasized to the staff that every agency action needed to reflect it. That lesson of neutrality and fairness has been followed since PERB's beginning, and is demonstrated by its staff to this day.

The greatest credit for Iowa's primarily positive climate for labor relations goes to the thousands of employees, managers, board members, commissioners, supervisors, and council members who operate within the law's parameters. Iowa's high rate of voluntary settlements and low rate of charges of illegal conduct speak volumes about the parties' willingness to make this law work. While both labor and management can point to changes they would like, the law has worked well because neither side of the table is favored.

Going forward, we should model the conduct that has led to the successes of the past. Any changes in the law should be the result of bipartisan support or the law will become a political football, subject to change each time the majority in the legislature changes. The law should continue to encourage the parties to negotiate their

continued on page 3

continued from page 2

## Guest Perspective by Jeffrey A. Krausman

relationship rather than to litigate it through arbitration. And each change should be evaluated not from the perspective of “how much can we get” but with an eye to how the change will make the parties’ relationship better.

*Jeffrey Krausman is an attorney at the Dickinson, Mackaman, Tyler & Hagen law firm in Des Moines. He was one of the earliest employees of PERB, working there from 1974 to 1977. He represents public employers on employment and labor relations issues.*

## Iowa Statutory Impasse Timeline Guide

The Public Employment Relations Act contains specific requirements to implement mediation, fact-finding and interest arbitration when an impasse arises in negotiations. Section 20.19 of the PERA allows labor and management to enter into an independent impasse agreement. However, the following chart highlights important deadlines under the statutory impasse process.

EMPLOYER TYPE(S)	UNIT TYPE	STEPS IN PROCEDURE	FIRST DATE PERB WILL ACT ON A UNILATERAL MEDIATION REQUEST (120 days prior to completion deadline)	DEADLINE TO FILE REQUEST FOR ARBITRATION	DEADLINE TO COMMENCE ARBITRATION HEARING	COMPLETION DEADLINE
City, County or State	All Units	3 <sup>1</sup>	11/15			3/15
School District or AEA	Non-Teachers	3 <sup>1</sup>	12/15			4/15
Community College	Non-Teachers	3 <sup>1</sup>	1/31		5/13	5/31
School District, AEA or Community College	Licensed Teachers	2 <sup>2</sup>	1/31	4/16	5/13	5/31

<sup>1</sup>Mediation, factfinding & arbitration

<sup>2</sup>Mediation & arbitration