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A Guide to the  
Iowa Public Employment  
Relations Act of 1974

Mario A. Bognanno  
and  
Thomas P. Gilroy

A Guide to the Iowa Public  
Employment Relations Act  
of 1974



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## Foreword

Since the state of Wisconsin enacted the first major public employee bargaining statute in 1959, many other jurisdictions have followed suit in establishing a framework for public employee/employer negotiations. At the federal level President Kennedy's Executive Order 10988 in 1962 and President Nixon's Executive Order 11491 in 1969 have now established ground rules for organization and negotiation by many federal employees.

In 1974 the state of Iowa enacted legislation establishing a new policy toward public employee collective bargaining. This publication is a summary of that legislation. This guide is an attempt to outline the Iowa Public Employment Relations Act for public employees, employers and others interested in and concerned with public employee relations. It highlights many of the major provisions of this legislation but does not purport to touch on every section. It is a general guide only, and for exact language, the statute itself should, of course, be referred to.

The Center for Labor and Management hopes that this guide is a useful summary of the major provisions of the Public Employment Relations Act and expresses its appreciation to Vi Kuebler, Lorena Lovetinsky and Marlene Steenhoek for their most helpful assistance with this manuscript.

Thomas P. Gilroy  
Associate Professor and Program Director  
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## The Evolution of the Iowa Public Employment Relations Act

Before 1968

An opinion issued by the Attorney General of Iowa held that Iowa's public employees had the right to organize and join labor organizations.

Iowa public employers, under the same opinion, did not have to recognize employee unions nor did they have the authority to bargain collectively with public employee groups.

1968

An Iowa district court addressed itself to a number of issues concerning public sector labor relations. The district court held that, as a matter of Iowa law:

Public employees had the right to form and join labor organizations;

Public employees did not have the right to strike;

Public employees could not picket public employers to coerce recognition;

Public employers could, if they chose, recognize employee representatives;

Public employers did have the power to bargain collectively with employee organizations.

1970

In February of 1970 the Supreme Court of Iowa, ruling on an appeal, upheld the 1968 district court decision with regard to the issues of public sector labor relations. In addition, the Supreme Court of-

ferred clarification of some of the basic issues involved.

The Supreme Court held:

Public employers may bargain or meet and confer with as many employee representatives as they choose;

The public employer, however, may not exclusively recognize any particular employee organization but may enter into agreements with employee organizations as deemed necessary.

Following the Supreme Court decision, the Sixty-Third Iowa General Assembly established a Collective Bargaining Study Committee to investigate the desirability of "enacting legislation providing a framework within which public employees in the state of Iowa could bargain collectively concerning the terms and conditions of employment and the method of resolving disputes in bargaining."

The Committee later recommended that a comprehensive public employment relations law be enacted.

1970 to 1973

Between 1970 and 1973 a significant number of public sector negotiations bills were introduced in the state legislature.

In 1973 Senate File 531, a comprehensive public sector negotiations bill, passed the Iowa Senate.

1974

Both houses of the legislature passed an amended version of SF 531.

On April 23, 1974, the Public Employment Relations Act was signed into law by the Governor.

## What Is the Public Employment Relations Act?

The Iowa Public Employment Relations Act states that it is public policy to promote harmonious and cooperative relationships between government and its employees and to protect the public by permitting public employees to organize and bargain collectively, by prohibiting and preventing strikes and protecting the employees' right to join and participate in employee organizations or to refrain from so doing.

Essentially, the law:

Grants employees the right to organize and to negotiate collectively with their employers,

Gives employees the right to be represented by employee organizations of their own choice,

Requires employers to negotiate with their employees and enter into written agreements with public employee organizations,

Establishes impasse procedures for resolution of negotiation disputes,

Prohibits improper labor practices by employers and employee organizations,

Prohibits strikes by public employees,

Establishes reporting requirements for employee organizations.

Establishes an administrative agency—the Public Employment Relations Board.

### *Effective Dates*

This act shall be effective on July 1, 1974, but the provisions of this Act relative to the duty to bargain shall not become effective until July 1, 1975. However, public employees of the state, its boards, commissions, departments and agencies may not bargain collectively until June 1, 1976.

## Employee Coverage and Exemptions

The coverage of the Public Employment Relations Act shall extend to all employees of the state of Iowa, its boards, commissions, agencies, departments and its political subdivisions including school districts and other special purpose districts.

The legislature has specifically excluded from coverage under the law the following public employees:

Elected officials, persons appointed to fill vacancies in elective offices and members of any board or commission;

Representatives of a public employer including supervisory employees;

All school superintendents, assistant superintendents, principals and assistant principals;

Confidential employees;

Students working as part-time public employees twenty hours per week or less, except graduate or other post-graduate students in preparation for a profession who are engaged in academically related employment as teaching, research or service assistants;

Temporary public employees—those employed for a period of four months or less;

Commissioned and enlisted personnel of the Iowa National Guard; Judges of the Supreme Court of Iowa and district courts, district associate judges and judicial magistrates and employees of such judges and courts;

Patients and inmates in any state or local institution;

Persons employed by the State Department of Justice;

Persons employed by the Commission for the Blind.



## Public Employer Rights

The public employer shall have, in addition to all powers, duties and rights established by constitutional provision, statute, ordinance, charter or special act, the exclusive power, duty and right to:

Direct the work of its public employees;

Hire, promote, demote, transfer, assign and retain public employees in positions within the public agency;

Suspend or discharge public employees for proper cause;

Maintain the efficiency of governmental operations;

Relieve public employees from duties because of lack of work or for other legitimate reasons;

Determine and implement methods, means, assignments and personnel by which the public employer's operations are to be conducted;

Take such actions as may be necessary to carry out the mission of the public employer;

Initiate, prepare, certify and administer its budget;

Exercise all powers and duties granted to the public employer by law.

## Public Employee Rights

The public employees shall have the right to:

Organize, form, join or assist any employee organization;

Negotiate collectively through representatives of their own choosing;

Engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection insofar as any such activity is not prohibited by this act or any other law of the state;

Refuse to join or participate in the activities of employee organizations including the payment of any dues, fees or assessments or service fees of any type.

## Determination of Bargaining Units and Representation Elections

The Public Employment Relations Act guarantees to public employees the right to join or refrain from joining any employee organizations and to be represented by an organization of their own choosing and have that organization negotiate collectively for them regarding salaries, wages, hours and other specified and mutually agreed upon conditions of employment.

### *Bargaining Unit Determination*

Unit determination procedures shall be initiated by filing a petition with the Board. The petition may be filed by:

- The public employer,
- The public employee or
- The employee organization.

The Board determines the appropriate bargaining unit by:

- Conducting a public hearing within 30 days of the receipt of petition, and
- Promptly thereafter by filing an order defining the appropriate bargaining unit.

Criteria taken into consideration in defining the unit shall include:

- Principles of efficient administration of government,
- The existence of a community of interest among public employees,
- The history and extent of public employee organization,
- Geographical location,
- The recommendations of the parties involved.

Professional and non-professional employees shall not be included in the same bargaining unit unless a majority of both agree.

Appeals from such unit determination by the Board shall be governed by appeal provisions provided in Section 11 of the Act (court appeal).

*Bargaining Representative Determination*

PERB certification of an employee organization as the exclusive bargaining representative of a bargaining unit shall be upon a petition filed with the board by a public employer, public employee or an employee organization and an election conducted pursuant to Section 15 of the Act.

The petition of the employee organization shall allege that:

The employee organization has submitted a request to a public employer to bargain collectively with a designated group of public employees, and

The petition is accompanied by written evidence that 30 percent of such public employees are members of the employee organization or have authorized it to represent them for collective bargaining.

The petition from the public employee shall allege that:

The certified employee organization does not represent a majority of such employees, and

The petitioners do not want to be represented by an employee organization or seek certification of an employee organization.

The petition from the public employer shall allege that:

It has received a request to bargain from an employee organization which has not been certified as the bargaining representative of the public employees in an appropriate unit.

The Board shall investigate the allegations of any petition and give notice of receipt to public employees, employee organizations and public employers named or described in the petition.

The Board shall thereafter call an election to determine the bargaining representative, unless

The Board finds less than 30 percent support by public employees within the appropriate unit for certification or decertification, or

The appropriate unit has not been determined.

The hearing and appeal procedures are provided in Section 11 of the Act.

### *Elections*

Upon the filing of a petition for certification of an employee organization, the Board shall submit two questions to the public employees at an election in an appropriate bargaining unit. The ballot shall:

*Ask* whether or not such public employees desire an exclusive bargaining representation, and

*List* any employee organization showing the board ten percent support from the employees in the appropriate unit.

### *Interpreting Voting Results*

If a majority of the votes cast on the first question are negative, then the public employees shall not be represented by an employee organization.

If a majority of votes cast on the first question are affirmative, then the listed employee organization receiving a majority of the votes cast on the second question shall represent the employees in the appropriate unit.

If none of the choices on the ballot receives the vote of the majority of the public employees who could be represented by an employee organization, then the Board shall conduct a run-off election among the two choices receiving the greatest number of votes.

Upon completion of a valid election, the Board shall certify the results of the election and give reasonable notice of the order to all employee organizations listed on the ballot, the public employers and the public employees in the appropriate unit.

### *Board May Invalidate the Election*

Upon written request by any party to the election within ten days

after notice of results, the Board may invalidate the election:

If the Board finds misconduct, or

If other circumstances prevented the public employees from freely expressing their preferences.

If the Board finds the election invalid, it may hold a second election for the public employees.

### *Election Restrictions*

Twelve month bar on petitions for certification from the date of certification or noncertification of an exclusive bargaining representative or during the duration of a collective bargaining agreement which shall not exceed 2 years.

Decertification petitions shall be accepted:

During the collective bargaining agreement,

Except not more than 180 days nor less than 150 days prior to the expiration of the collective bargaining agreement.

If an employee organization is decertified, the Board may receive petitions under Section 14, provided that no petition and no election shall include the decertified employee organization within one year of the organization's decertification.

## Scope of Negotiations

The public employer and the employee organization shall meet at reasonable times, including meetings reasonably in advance of the public employer's budget making process, to negotiate in good faith with respect to:

Wages,	Transfer procedures,
Hours,	Job classifications,
Vacations,	Health and safety matters,
Insurance,	Evaluation procedures,
Holidays,	Procedures for staff reduction,
Leaves	In-service training,
Supplemental pay,	Other matters mutually agreed upon.
Seniority,	

Negotiations shall also include:

Terms authorizing dues checkoff for members of employee organizations; if agreed upon, dues may be checked off only upon members' written request, and a member may terminate the dues check-off at any time by giving 30 days' written notice;

Grievance procedures for resolving any questions arising under the agreement, which shall be embodied in a written agreement and signed by the parties.

### *Reservations and Exclusions from Scope of Negotiations*

Nothing in this section shall diminish the authority and power of:

The Merit Employment Department;

The Board of Regents' Merit System;

The Educational Radio and Television Facility Board's Merit System;

Any Civil Service Commission established by constitutional provisions, statutes, charter or special act to:

Recruit employees,

Prepare, conduct and grade examinations,

Rate candidates in order of their relative scores for certification for appointment or promotion or other matters of classification, reclassification or appeal rights in the classified service of the public employer served.

The public employee retirement systems provided for in the Code of Iowa shall be excluded from the scope of negotiations.

The obligation to negotiate in good faith does not compel either party to agree or make concessions concerning the legitimate issues for negotiation under this Act.

*Negotiations and Open Meetings Requirements*

Hearings conducted by arbitrators shall be open to the public.

Negotiation sessions, including strategy meetings of public employees or employee organizations, mediation and the deliberative process of arbitrators shall be exempt from the provisions of Chapter 28A of the Code.



## Grievance Procedures

Negotiated grievance procedures may provide for binding arbitration of public employee grievances and of disputes over the interpretation and application of existing agreements.

An arbitrator's decision on a grievance may not change or amend the terms, conditions or applications of the collective bargaining agreement.

The grievance procedures may be invoked only with the approval of the employee organization, and in the case of an employee grievance, only with the approval of the public employee.

The cost of arbitration shall be shared equally by the parties.

Public employees of the state shall follow either the grievance procedures provided in a collective bargaining agreement, or, in the event that no such procedures are provided, grievance procedures established pursuant to Chapter 19A of the Code (the State Merit System of Personnel Administration).

## Negotiation Impasse Procedures

The parties may mutually agree, through the course of their negotiation, on suitable impasse procedures, or they must utilize the procedure outlined in the Act in cases where a mutual agreement is not reached.

The impasse procedures, either reached by mutual agreement or as outlined in the Act, shall provide for implementation of these procedures not later than 120 days prior to the certified budget submission date of the public employer.

### *Mediation*

Mediation means assistance by an impartial third party to reconcile an impasse between the public employer and the employee organization through interpretation, suggestion and advice.

According to the Iowa law:

In the absence of an impasse agreement between the parties or upon the failure of either party to utilize its procedures, 120 days prior to the certified budget submission date:

A mediator shall be appointed by the Board at the request of either party;

The mediator shall bring the parties together to effect a settlement;

The mediator may not compel the parties to agree.

### *Fact Finding*

Fact finding means the procedure by which a qualified person shall make written findings of fact and recommendations for resolution of an impasse.

According to Iowa law:

If an impasse persists ten days after the mediator has been ap-

pointed, then the Board shall appoint a fact finder representative of the public;

The fact finder shall conduct a hearing, may administer oaths and may request the Board to issue subpoenas;

The fact finder shall:

Make written findings of facts and recommendations for resolution of the dispute;

Not later than fifteen days from the day of appointment, serve such findings on the public employer and certified employee organization.

If the dispute continues ten days after the report is submitted, the report shall be made public by the Board.

The public employer and certified employee organization shall immediately accept the fact finder's recommendations or within five days submit the recommendation to the governing body and members of the certified employee organization for acceptance or rejection.

### *Arbitration*

Arbitration means the procedure whereby the parties involved in an impasse submit their differences to a third party for a final and binding decision as provided in this Act.

According to Iowa law:

If an impasse persists after the fact finding procedure, the parties may continue to negotiate or the Board shall have the power, upon request of either party, to arrange for arbitration which shall be binding.

### *The Arbitration Process*

Each party shall submit to the Board:

A final offer on the impasse item,

Proof of service of a copy on the other party,

A draft of the proposed collective bargaining agreement to the extent to which agreement has been reached,

The name of its selected arbitrator.

Issues to be decided by arbitration are:

Limited to the issues considered by the fact finder which have not yet been resolved,

Limited to selecting the most reasonable of the final offers of the parties on each impasse item or the recommendations of the fact finder on each impasse item.

Makeup of the board of arbitration:

One member appointed by employer,

One member appointed by employee organization,

One member mutually appointed by the representatives of the employer and the employee organization.

The last member appointed is chairman.

No member of the board of arbitration shall be an employee of the parties.

The fees and expenses of the arbitrators selected by the employee organization and the employer shall be paid by their respective sources.

The fees and expenses of the chairman shall be shared equally by the employee organization and the public employer.

Selection of the chairman, if party representatives on the arbitration board cannot agree, shall be made by submission to the arbitrators of a list of three arbitrators supplied by the Board. The two arbitrators will draw lots to see who removes the first name from the list. The second arbitrator will remove a second name from the remaining two on the list of arbitrators. The remaining name on the list will be the chairman of the arbitration panel.

The parties may agree to submit their dispute to single arbitrator.  
Power of the chairman shall be to:

- Hold hearings and administer oaths,
- Examine witnesses and documents,
- Take testimony and receive evidence,
- Issue subpoenas to compel attendance of witnesses and production of records,
- Delegate such powers to other members of the panel of arbitrators,
- Petition the district court to enforce the order of the chairman compelling the attendance of witnesses and production of records.

Vacancies on the arbitration panel and selection of replacements:

- No final selection or award shall be made until replacement of the vacancy is secured;
- Selection of a replacement shall be made in the same manner and within the same time limits as the original member was chosen.

The role of the arbitrator is:

- Not to mediate or settle the dispute through conciliation,
- To make an award on a final offer submitted in the manner described above,
- To make an award which subsequently becomes the collective bargaining agreement between the parties,
- To make a decision on each impasse item within fifteen days after the first meeting of the panel.

Criteria for the arbitration decision shall include:

- Past collective bargaining agreements;
- Comparison of the wages, hours and conditions of employment at issue with those of public employees doing comparable jobs;
- The interest and welfare of the public;

The ability of the public employer to finance any economic adjustments;

The power of the public employer to levy taxes and appropriate funds.

The arbitration decision shall be final and binding, pursuant to the following stipulations:

The decision must be made by a majority vote;

The decision shall not be inconsistent with any statutory limitation on the public employer's funds, spending or budget or substantially impair or limit the performance of any statutory duty by the public employer;

The award shall be written, with explanations, and delivered to the parties.

## Prohibited Practices

It shall be a prohibited practice for any public employer, public employee or employee organization to willfully refuse to negotiate in good faith with respect to the scope of negotiations as defined in Section 9 of this Act.

It shall be a prohibited practice for a public employer or his designated representative willfully to:

Interfere, restrain or coerce employees with respect to their rights under the Act;

Dominate or interfere in the administration of an employee organization;

Encourage or discourage employee organization membership by discrimination in hiring, tenure or other conditions of employment;

Discharge or discriminate against an employee for exercising his rights under the Act;

Refuse to negotiate with a certified employee organization;

Deny rights accompanying certification or exclusive recognition;

Refuse to participate in good faith in any impasse procedures either agreed upon mutually or set forth in this Act;

Engage in lockout.

It shall be a prohibited practice for public employees or an employee organization or any person, union or organization or its agents willfully to:

Interfere with, restrain, coerce or harass any public employee with respect to any of his rights under this Act or prevent or discourage his exercise of any such rights, including, without limitation, all rights under Section 8 (Public Employee Rights) of this Act;

Refuse to bargain collectively with the public employer;

Refuse to participate in good faith in any agreed upon impasse procedure, or those set forth in this Act;

Violate Section 12 of this Act ( the strike prohibition );

Violate provisions of Chapter 736B, Sections 1, 2 and 3 of the Code of Iowa now applicable to public employers, public employees and public employee organizations (relates to certain slowdowns, boycotts and strikes);

Picket in a manner which interferes with entering and exiting a facility of a public employer;

Engage in, initiate, sponsor or support any picketing that is performed in support of a strike, work stoppage, boycott or slowdown against a public employer;

Picket for any unlawful purpose.

The expression of any views, argument or opinion or the dissemination thereof, whether in written, printed, graphic or visual form, shall not constitute or be evidence of any unfair labor practice under any of the provisions of this Act, if such expression contains no threat of reprisal or force or promise of benefit.

#### *Processing of Prohibited Practice Violation Charges*

The complainant files, with the Board, a complaint within 90 days of the alleged violation.

The accused party has ten days to file a written answer to the complaint.

The Board may conduct a preliminary investigation of the alleged violation, and if the Board finds no basis for complaint, the Board may dismiss the complaint.

If the charge has merit, a formal hearing may be set by the Board in the county where the alleged violation occurred.

The hearing officer makes a decision.

The hearing officer's decision may be appealed to the Board.

The Board files its findings of fact and conclusions of law.

If found guilty of a prohibited practice, within 30 days of the Board's



decision the offending party may enter into a consent order with the Board to discontinue the practice, or the Board may petition the district court for injunctive relief.

The Board's decision may be appealed to the district court within ten days.

The district court's decision may be appealed to the Supreme Court.

## Penalties for Strikes

### *Strike Prohibition*

For the employee:

It shall be unlawful for any public employee or any employee organization, directly or indirectly, to induce, instigate, encourage, authorize, ratify or participate in a strike against any public employer.

For the employer:

It shall be unlawful for any public employer to authorize, consent to or condone a strike; or to pay or agree to pay any public employee for any day in which the employee participates in a strike; to pay or agree to pay any increase in compensation or benefits to any public employee in response to or as a result of any strike or any act which violates this Act.

### *Procedures When a Violation Occurs*

In the event of any violation or imminently threatened violation of the strike prohibition, any citizen within the jurisdiction of the public employer may petition the district court for an injunction restraining such violation or imminently threatened violation.

A temporary injunction shall be granted if, in the court's view, a violation has occurred or is imminently threatened.

The plaintiff need not show irreparable injury, and is not required to post bond.

### *Penalties for Violation*

Failure to comply with any temporary or permanent injunction shall constitute a contempt punishable pursuant to Chapter 665 of the Code of Iowa. The penalties shall not exceed:

\$500 per day for the individuals who fail to comply with the injunction, or

\$10,000 per day for the employee organization or the public employer who fails to comply with the injunction, or

Imprisonment in the county jail not exceeding six months or

Both fine and imprisonment.

If held in contempt of court under this section or if convicted of violating this section, the public employee shall be:

Ineligible for any employment with the same public employer for a period of twelve months,

Discharged, but upon his request the court shall stay his discharge to permit further judicial proceedings.

The public employee organization shall:

Immediately be decertified,

Cease to represent the bargaining unit,

Cease to receive any dues by checkoff and

Be certified again only after twelve months have elapsed from the effective date of decertification and after new compliance with the bargaining representative determination process outlined in this Act, Section 14.

#### *Suspension or Modification of Penalties*

It shall be unlawful for any public employer or employee organization to bargain at any time regarding suspension or modification of any penalty under this section or regarding any request by the public employer to a court for suspension or modification of any penalty.

However:

The penalties provided under this section may be suspended or modified by the court, but only upon request of the public employer, and only if the court determines that suspension or modification is in the public interest.

Each of the remedies and penalties provided in this section is separate, and is in addition to any other legal or equitable remedy or penalty.

## Internal Conduct of Employee Organizations

Every employee organization which is certified as a representative of the public employees under the provisions of this Act shall file with the Board a registration report, signed by its president or other appropriate officer.

The report shall be in a form prescribed by the Board.

The report shall be accompanied by two copies of the employee organization's constitution and bylaws.

A filing by a national or international employee organization of its constitution and bylaws shall be accepted in lieu of a filing of such documents by each subordinate organization.

All changes or amendments to such constitutions and bylaws shall be promptly reported to the Board.

Every employee organization shall file with the board an annual report and an amended report whenever changes are made. The reports shall provide the following information:

The names and addresses of the organization, any parent organization or organizations with which it is affiliated, the principal officers and all representatives;

The name and address of its local agent for service of process;

A general description of the public employees the organization represents or seeks to represent;

The amounts of the initiation fee and monthly dues members must pay;

A pledge, in a form prescribed by the Board, that the organization will comply with the laws of the state and that it will accept members without regard to age, race, sex, religion, national origin or physical disability as provided by law;

A financial report and audit.

The constitution or bylaws of every employee organization shall provide that:

Accurate accounts of all income and expenses shall be kept, and annual financial reports and audits shall be prepared; such accounts shall be open for inspection by any member of the organizations, and loans to officers and agents shall be made only on terms and conditions available to all members;

Business and financial interests of its officers and agents, their spouses, minor children, parents or otherwise, that conflict with the fiduciary obligation of such persons to the organization shall be prohibited;

Every official or employee of an employee organization, or a subsidiary organization, who handles funds or other property of the organization, or trusts in which the organization is interested, shall be bonded, and the amount, scope and form of the bond shall be determined by the Board;

The governing rules of every employee organization shall provide for periodic elections by secret ballot subject to recognized safeguards concerning the equal right of all members to nominate, seek office and vote in such elections; the right of individual members to participate in the affairs of the organization; and fair and equitable procedures in disciplinary actions.

The Board shall prescribe rules and regulations necessary to govern the establishment and reporting of trusteeships of employee organizations. Establishment of such trusteeships shall be permitted only if the constitution or bylaws of the organization set forth reasonable procedures. An employee organization that has not registered or filed an annual report, or has failed to comply with other provisions of this Act, shall not be certified.

Certified employee organizations failing to comply with this Act may have such certification revoked by the Board. Prohibition may be enforced by injunction upon the petition of the Board to the district court of the county in which the violation occurs. Complaints of violation of this section shall be filed with the Board.

Upon the written request of any member of a certified employee or-

ganization, the auditor of the state may audit the financial records of the certified employee organization.

## Employee Organizations and Political Contributions

An employee organization shall not make any direct or indirect contributions out of funds of the employee organization to any political party or organization or support any candidate for elective public office.

Any employee organization which violates the provisions of this section or fails to file any required report or affidavit shall, upon conviction, be subject to a fine of not more than \$2000.

Any person who willfully violates this section or fails to file any required report or affidavit or files a false report or affidavit shall, upon conviction, be subject to a fine of not more than \$1000 or imprisoned for not more than 30 days or shall be subject to both fine and imprisonment.

Each individual required to sign affidavits or reports under this section shall be personally responsible for filing such report or affidavit and for any statement contained therein he knows to be false.

Nothing in this section shall be construed to prohibit voluntary contributions by individuals to political parties or candidates.

Nothing in this section shall be construed to limit or deny any civil remedy which may exist as a result of action which may violate this section.



## Administration of the Law

The Iowa Public Employment Relations Board was created under the law to serve as an independent neutral agency to administer the law.

The law establishes a three-member Board appointed by the Governor and approved by a two-thirds vote of the Senate.

No more than two members shall be of the same political affiliation.

No member shall engage in any political activity while in office.

All three members shall devote full time to their duties.

Each member shall be appointed for a term of four years, except that of the members first appointed, two members shall be appointed for a term of two years commencing July 1, 1974, and ending June 30, 1976, and one member shall be appointed for a term of four years commencing July 1, 1974, and ending June 30, 1978.

The member first appointed for a term of four years shall serve as chairman and each of his successors shall also serve as chairman.

Procedures for filling vacancies are established.

Criteria for selection of board members are included.

Compensation scales are specified.

Allowances for member's expenditures in the performance of their duty are legislated.

The general powers and duties of the Board shall encompass adjudicative, administrative, research and conciliation functions.

As a neutral agency the board shall:

Administer the law within the framework of policies established by the legislature;

Adopt rules and regulations;

Resolve representation disputes;

Maintain a list of qualified persons representative of the public to be available to serve as neutrals;

Adjudicate improper practice charges;

Make available statistical data relating to wages, benefits and employment practices to any interested person or organization;

Maintain reports of certified employee organizations as required under the Act.

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