

## Under Iowa law, public employees have important rights

- to >> organize, or form, join, or assist any employee organization
- to >> “engage in other **concerted activities** for the purpose of collective bargaining or other mutual aid or protection”

What’s a “concerted activity”? It’s when **two or more employees** (or one acting on behalf of others) **take action in an effort to improve working conditions** or resolve an issue with management.

In other words, as a public employee, you have the right to join together with co-workers and the public to address workplace problems. It is unlawful for a public employer to interfere with, restrain, discriminate against, or coerce public employees who are engaged in protected concerted activity.

But what kinds of actions are considered “protected concerted activity” under the Iowa Public Employment Relations Act (PERA)? This brochure contains a basic introduction to your rights. If you are represented by a union or association, it’s always a good idea to talk with your union leadership for more details.

## Where can I go if I believe my rights have been violated, or for more information?

The Iowa Public Employment Relations Board (PERB) is responsible for enforcing this law. Charges must be filed with PERB within 90 days of a violation (called a “prohibited practice”). There is no fee for filing charges. Parties are responsible for gathering necessary evidence and presenting their own cases. Contested cases are decided by an administrative law judge (ALJ) from PERB.

If the worker filing a prohibited practice charge is represented by a union at work, it is important to consult with the union in the process of preparing and filing the charge.

Iowa Public Employment Relations Board (PERB)  
510 E. 12th Street, Suite 1B  
Des Moines, Iowa 50319  
Phone: 515-281-4144  
Fax: 515-242-6511  
Email: [iaperb@iowa.gov](mailto:iaperb@iowa.gov)  
[www.iowaperb.iowa.gov](http://www.iowaperb.iowa.gov)

If you have questions about this or other labor or employment laws covering Iowa workers, you can contact the University of Iowa Labor Center at 319-335-4144 or [labor-center@uiowa.edu](mailto:labor-center@uiowa.edu).

# Iowa Public Employees: Know Your Rights to Speak Up!

>>> Legal rights to engage in concerted activity under the Iowa Public Employment Relations Act



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## Communicating with Your Co-Workers in the Workplace

### Discussing unions or work issues

**Q:** *"My manager says employees can't talk about the union during work time. Is that legal?"*

**A:** You have the right to talk about unions or efforts to address problems at work—whenever you are allowed to talk about other non-work issues. Employers can limit non-work conversations while you're working with clients, students, or patients; however, if you are allowed to talk about sports or family while working, you have the right to talk about unions and work-related concerns.

### Distributing literature

**Q:** *"I was handing out a union leaflet in the break room, but my supervisor said I can't do that without his approval. Is that legal?"*

**A:** You have the right to distribute union literature in non-work areas during non-work times, including lunch and paid breaks.

### Taking collective action

**Q:** *"We want to circulate an employee petition in support of better staffing levels. Can we do that?"*

**A:** Yes. You are joining together to improve working conditions, the definition of protected concerted activity. Circulate it on non-work time, in non-work areas. \*Most concerted activities are protected — just a few are prohibited, including strikes, sickouts, boycotts, and slowdowns.\*

## Communicating with Members of the Public or the Press

### Reaching out to members of the public

**Q:** *"My school employee association is organizing to protest cuts to school programs. It matters to us, but especially affects kids. Can we talk to parents?"*

**A:** An association, union, or group of employees (as opposed to one employee acting alone) has the right to solicit public support to address workplace issues. Protected activities could include, for example: meeting with the PTO, distributing leaflets to parents before or after work, or hosting a forum.

### Talking to the press

**Q:** *The local newspaper has called to hear what our bus drivers think about cuts to city bus routes. Can city workers get in trouble for talking to the press?"*

**A:** Iowa public employees have a right to talk to the press as part of efforts by a group of employees or their union to improve working conditions—it's protected activity under the PERA, and retaliation is unlawful. Some guidelines to ensure protection:

- ◇ Be truthful. Making deliberately false statements can remove your legal protections.
- ◇ Stay focused on the workplace issues at stake for your group, rather than personalized attacks.
- ◇ Don't disparage the product or service. For example, "We're standing up for safe, well-staffed buses!" not "Our buses are dangerous to riders!"

## Communicating with Elected Officials and Public Boards

### Speaking at city, county, school, or state government meetings

**Q:** *My co-workers have heard that county employees aren't allowed to speak at meetings of the Board of Supervisors about workplace issues. Is that correct?"*

**A:** Iowa public employees have the right to attend the meetings of elected governing bodies, and employees are protected from retaliation under the PERA when speaking on behalf of a union or group of employees about their collective efforts to address workplace concerns.



Similarly, public employees are legally protected from retaliation when they contact or meet with elected officials as part of a group effort to improve working conditions. However, employees do not have the right to engage in these conversations on work time or via work computers or phones.

Of course, employees must also be sure to follow their usual workplace guidelines about maintaining student, patient, or client privacy in comments to elected officials or the public.