

STATE EMPLOYMENT RELATIONS BOARD

STATE OF OHIO

MINUTES

The State Employment Relations Board met on Thursday, May 20, 2004, at 10:00 a.m., at 65 East State Street, Columbus. Present at the meeting were Chairman Drake, Vice Chairman Gillmor, and Board Member Verich.

I. APPROVAL OF MINUTES FOR PREVIOUS MEETING:

Vice Chairman Gillmor moved that the Board approve the minutes for the May 13, 2004 meeting. Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                  Denied \_\_\_

II. MEDIATION AND FACT-FINDING MATTERS AT ISSUE:

1. Cases    04-MED-04-0385                      Miamisburg Police Association and City  
              04-MED-04-0386                      of Miamisburg  
              04-REP-03-0039

The Employer filed a motion to stay negotiations involving the Employee Organization. The Employer questioned whether the Employee Organization maintains majority status in the unit. The Employee Organization filed the Notices to Negotiate on April 2, 2004. Board Member Verich moved that the Board stay negotiations in Case Nos. 04-MED-04-0385 and 04-MED-04-0386 pending the disposition of Case 04-REP-03-0039, and expedite the representation case. Vice Chairman Gillmor seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                  Denied \_\_\_

2. Cases    04-MED-01-0034                      Ohio Patrolmen's Benevolent  
              04-REP-04-0070                      Association and City of Cleveland

The Employer filed a motion to stay negotiations involving the Employee Organization. The Employer questioned whether the Employee Organization maintains majority status in the unit. The Employee Organization filed the Notice to Negotiate on January 15, 2004. Vice Chairman Gillmor moved that the Board stay negotiations in Case 04-MED-01-0034 pending the disposition of Case 04-REP-04-0070, and expedite the representation case. Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                  Denied \_\_\_

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3. Cases 03-MED-10-1179 Fraternal Order of Police, Ohio  
03-MED-10-1180 Labor Council, Inc. and City of Girard

The Employee Organization filed a motion to withdraw its notices to negotiate involving the Employer. The Employee Organization is no longer the exclusive representative of the bargaining units. The Employee Organization filed the Notices to Negotiate on October 10, 2003. Board Member Verich moved that the Board grant the motion to withdraw the notices to negotiate. Vice Chairman Gillmor seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye GILLMOR Aye VERICH Aye  
Affirmed X Denied \_\_\_

4. Cases 03-MED-09-1037 Ohio Council 8, American Federation  
03-MED-09-1038 of State, County and Municipal  
03-MED-09-1039 Employees, AFL-CIO, Locals 272, 349,  
03-MED-09-1040 840, 2853, and 2174 and Toledo Public  
03-MED-09-1041 Schools

The Employee Organization filed a motion to withdraw its motion to strike mediator and fact finder panel in negotiations with the Employer. The Employer did not object to the motion to withdraw. Vice Chairman Gillmor moved that the Board grant the motion to withdraw the Motion to Strike Mediator and Fact Finder Panel. Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye GILLMOR Aye VERICH Aye  
Affirmed X Denied \_\_\_

I. REPRESENTATION MATTERS AT ISSUE:

1. Case 04-REP-01-0015 Fraternal Order of Police, Ohio Labor  
Council, Inc. and Greene County Sheriff
2. Case 04-REP-03-0037 Water Treatment Operator II's and City  
of Painesville

In Case 04-REP-01-0015 and 04-REP-03-0037, the Employee Organizations filed Requests for Recognition seeking to represent certain employees of the Employers. The substantial evidence is sufficient, and no objections have been filed. Board Member Verich moved that the Board certify the Employee Organizations as the exclusive representatives of all employees in the bargaining units. Vice Chairman Gillmor seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye GILLMOR Aye VERICH Aye  
Affirmed X Denied \_\_\_

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3. Case 04-REP-03-0060 Teamsters Local #436 and City of  
Twinsburg

The Employee Organization filed a Request for Recognition seeking to represent certain employees of the Employer. The Employer responded by filing a Petition for Representation Election. The parties have entered into a Consent Election Agreement seeking an election on June 1, 2004. Vice Chairman Gillmor moved that the Board approve the Consent Election Agreement and direct an election to be conducted on June 1, 2004. Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                  Denied \_\_\_

4. Case 03-REP-12-0249 Professionals Guild of Ohio and Butler  
County Board of Mental Retardation and  
Developmental Disabilities

The Employee Organization filed an amended Petition for Representation Election seeking to represent certain employees of the Employer. The Employer responded by filing objections. A conference call was conducted, and the parties verbally agreed to a Consent Election Agreement seeking an election on May 24, 2004. The Board did not receive an executed Consent Election Agreement from the Employer. The Employer's representative filed a letter stating that the Employer will not authorize signing the Consent Election Agreement and requesting a hearing per its original objections. The Employee Organization filed responses. Board Member Verich moved that the Board direct this case to hearing to determine an appropriate bargaining unit and for all other relevant issues, and direct the parties to mediation. Vice Chairman Gillmor seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                  Denied \_\_\_

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5. Cases 03-REP-09-0181 Willowick Service Employees Association and Office and Professional Employees International Union, AFL-CIO/CLC, Local 1794 and City of Willowick

03-REP-11-0227 Willowick Service Employees Association and City of Willowick

The Rival Employee Organization filed a Petition for Representation Election in Case 03-REP-09-0181 seeking to displace the Incumbent Employee Organization from its status as the exclusive representative for certain employees of the Employer. The Incumbent Employee Organization has filed a letter disclaiming interest. The Employer and the Incumbent Employee Organization confirm no contract exists. As a result of the Employer's agreement to voluntary recognition, the Rival Employee Organization has filed a letter seeking to withdraw the petition in Case 03-REP-09-0181 and a Request for Recognition in Case 03-REP-11-0227. The substantial evidence is sufficient, and no objections have been filed. Vice Chairman Gillmor moved that the Board grant the Incumbent Employee Organization's Disclaimer of Interest, construe the Rival Employee Organization's letter as a motion to withdraw, grant the motion, and dismiss without prejudice the Petition for Representation Election in Case No. 03-REP-09-0181; and certify the Rival Employee Organization as the exclusive representative of all employees in the bargaining unit in Case No. 03-REP-11-0227. Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                  Denied    

6. Case 04-REP-03-0061 Carolyn Fankhauser and Chauffeurs, Teamsters, Warehousemen and Helpers, Local Union No. 377, IBT and Canfield Local Board of Education

The Petitioner filed a Petition for Decertification Election seeking to decertify the Incumbent Employee Organization as the exclusive representative of certain employees of the Employer. The Board certified Opt-in election results adding Van Drivers to the existing bargaining unit on February 26, 2004; as a result, certification constitutes a bar to the instant Petition for Decertification Election pursuant to Ohio Administrative Code 4117-5-11(C). Dismissing the petition is appropriate. Board Member Verich moved that the Board dismiss without prejudice the Petition for Decertification Election pursuant to Ohio Administrative Code 4117-5-11(C). Vice Chairman Gillmor seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                  Denied

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|-----|------|----------------|---|
| 7.  | Case | 04-REP-02-0029 | <u>Ohio Council 8, American Federation of State, County and Municipal Employees, AFL-CIO and Greater Dayton Regional Transit Authority</u>          |
| 8.  | Case | 04-REP-02-0035 | <u>Ohio Council 8, American Federation of State, County and Municipal Employees, AFL-CIO and Noble County Department of Job and Family Services</u> |
| 9.  | Case | 04-REP-03-0038 | <u>Medina County Achievement Center Employees Association, OEA/NEA and Medina County Board of Mental Retardation and Developmental Disabilities</u> |
| 10. | Case | 04-REP-05-0082 | <u>Ohio Council 8, American Federation of State, County and Municipal Employees, AFL-CIO and Portsmouth Metropolitan Housing Authority</u>          |

In Case 04-REP-02-0029, the Employee Organization is the Board-certified exclusive representative of certain employees of the Employer. The parties have jointly filed a Petition for Amendment of Certification seeking to amend the existing unit to reflect changes in job title and responsibilities. In Case 04-REP-02-0035, the Employee Organization is the Board-certified exclusive representative of certain employees of the Employer. The parties have jointly filed a Petition for Amendment of Certification seeking to amend the existing unit to reflect changes in job titles. In Case 04-REP-03-0038, the Employee Organization is the Board-certified exclusive representative of certain employees of the Employer. The parties have jointly filed a Petition for Amendment of Certification seeking to amend the certification to create a separate Service Coordination Unit. In Case 04-REP-05-0082, the Employee Organization is the Board-certified exclusive representative of certain employees of the Employer. The parties have jointly filed a Petition for Amendment of Certification seeking to amend the existing unit to reflect the clarification of actual positions in the unit, the inclusion of new positions, and deletion of abolished positions. Vice Chairman Gillmor moved that the Board approve the jointly filed petitions and amend the units accordingly, and remand Case 04-REP-02-0035 back to the Representation Section for further investigation. Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE <u>Aye</u>	GILLMOR <u>Aye</u>	VERICH <u>Aye</u>
Affirmed <u>X</u>	Denied <u>   </u>	

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11. Case 03-REP-10-0200 Wayne County Joint Vocational School Education Association and Wayne County Joint Vocational School District Board of Education

The Employee Organization is the Board-certified exclusive representative of certain employees of the Employer. The Employee Organization filed a Petition for Amendment of Certification seeking to include certain positions in the existing bargaining unit. The Employer responded by filing a position statement. Several conference calls have been conducted. The Employee Organization has filed a letter seeking to withdraw the petition. Board Member Verich moved that the Board construe the Employee Organization's letter as a motion to withdraw, grant the motion, and dismiss without prejudice the Petition for Amendment of Certification. Vice Chairman Gillmor seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                  Denied    

12. Case 03-REP-12-0239 Fraternal Order of Police, Ohio Labor Council, Inc. and Ohio Patrolmen's Benevolent Association and City of Cleveland

- There were 46 ballots cast
- There were 0 challenged ballots
- No Representative received 0 votes
- Ohio Patrolmen's Benevolent Association received 16 votes
- Fraternal Order of Police, Ohio Labor Council, Inc. received 30 votes and has prevailed in this election.

13. Case 04-REP-01-0010 Ohio Patrolmen's Benevolent Association and City of Struthers

- There were 3 ballots cast
- There were 0 challenged ballots
- No Representative received 1 vote
- Ohio Patrolmen's Benevolent Association received 2 votes and has prevailed in this election.

Vice Chairman Gillmor moved that the Board certify the election results and certify the prevailing employee organizations as the exclusive representatives of all employees in the relevant bargaining units. Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                  Denied

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IV. ADMINISTRATIVE LAW JUDGE RECOMMENDATIONS AT ISSUE:

1. Case 03-ULP-04-0178 SERB v. Mahoning County Board of County Commissioners

Board Member Verich moved that the Board adopt the Findings of Fact, Analysis and Discussion, and Conclusions of Law in the Proposed Order, finding that the Respondent did not violate O.R.C. §§ 4117.11(A)(1) and (A)(5) when it timely voted to reject the tentative agreement, dismiss the complaint, and dismiss with prejudice the unfair labor practice charge. Vice Chairman Gillmor seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                  Denied    

2. Case 02-REP-11-0230 Wilmington Firefighters, IAFF Local 3011 and City of Wilmington

Vice Chairman Gillmor moved that the Board amend the first paragraph of the Analysis and Discussion by adding "See, e.g., In re Ohio State Troopers Assn, SERB 2000-003 (3-27-00); In re Shawnee State Univ, SERB 97-010 (6-30-97), aff'd in part, rev'd in part sub nom. Shawnee Ed Assn v SERB, 1999 SERB 4-16 (CP, Franklin, 9-27-99), aff'd 2000 SERB 4-33 (10th Dist Ct App, Franklin, 11-16-00)." after the reference for Rule 4117-5-01(E)(2); adopt the Findings of Fact, Analysis and Discussion, as amended, and Conclusions of Law in the Recommended Determination; grant the Petition for Clarification of Bargaining Unit; and clarify the bargaining-unit description to include the position of Fire Inspector. Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                  Denied

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3. Case 03-ULP-06-0311 SERB v. Mohawk Local School District Board of Education

On April 14, 2004, an Administrative Law Judge's Proposed Order was issued, recommending that the Board find that the Respondent had not violated O.R.C. §§ 4117.11(A)(1) and (A)(3) when it failed to initially select Ms. Nutter for a summer school position, that the Respondent had not violated O.R.C. § 4117.11(A)(1) when it failed to select Ms. Nutter for the seventh grade math position, that the Board dismiss the complaint, and that the Board dismiss with prejudice the unfair labor practice charge. No exceptions were filed to the Proposed Order. Board Member Verich moved that the Administrative Law Judge's Proposed Order become the order of the Board, pursuant to Ohio Revised Code § 4117.12(B)(2), since no exceptions were filed by any party. Vice Chairman Gillmor seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                      Denied    

4. Case 03-ULP-03-0157 SERB v. State of Ohio, Department of Rehabilitation and Correction, Richland Correctional Institution

On April 8, 2004, the Charging Party filed a motion to show cause, contending that the Respondent had failed to comply with the terms of the settlement agreement filed with the Board on November 5, 2003. The dispute over the settlement agreement, Appendix Q of the parties' 2000-2003 collective bargaining agreement, and the Respondent's Quarterly Overtime posting involves how and when the employees sign up for overtime opportunities and the Respondent's use of the daily roster sheets. Whether the Respondent has fully complied with the settlement agreement is a matter that must be addressed through a hearing on the motion to show cause. Vice Chairman Gillmor moved that the Board direct this matter to a show cause hearing to determine whether the Respondent has complied with the settlement agreement and, if not, what acts must be taken to be in compliance. Board Member Verich seconded the motion. Chairman Drake called for any discussion, and stated she agreed with the recommendation because there is a question regarding the overtime policy, and it needs to be addressed in a hearing. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                      Denied

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5. Case 03-REP-04-0062 Ohio Patrolmen's Benevolent Association and City of Norwalk

Board Member Verich moved that the Board remand this case to the Hearings Section to supplement the record through stipulation or supplemental hearing to obtain the information requested herein below, and to the extent that such information cannot be obtained by stipulation, the Administrative Law Judge is to take testimony of all available witnesses presented by the parties, resolve credibility, and solicit information on the record relative to the facts surrounding Patrol Officer Coy's leave of absence, including but not limited to the following questions: whether Patrol Officer Coy requested an unpaid leave of absence for military duty; whether Patrol Officer Coy provided any copy of military orders to the Employer; whether Patrol Officer Coy is on an extended leave; whether Patrol Officer Coy is on an unpaid leave of absence; how the Employer has coded its records concerning Patrol Officer Coy's employment status; what Position Control Numbers or equivalent are assigned to Patrol Officer Coy's position and the "interim" employee's position; whether Patrol Officer Coy is receiving any supplemental pay from the Employer to make up any difference in pay from his military pay; and in what branch of service (e.g., Ohio National Guard, Reserves) Patrol Officer Coy is serving; and, to the extent that the requested information raises any further issues upon which a party requests to produce additional relevant evidence, that such evidence be allowed. Vice Chairman Gillmor seconded the motion. Chairman Drake called for any discussion and stated that it is important for the Board to receive this information, which will help it to make a determination in this matter. Chairman Drake called for the vote.

Vote: DRAKE Aye GILLMOR Aye VERICH Aye  
Affirmed X Denied    

6. Case 03-ULP-11-0584 Fraternal Order of Police, Ohio Labor Council, Inc. v. Clinton County Sheriff

On November 7, 2003, the Charging Party filed an unfair labor practice charge against the Sheriff. On January 7, 2004, the Charging Party filed an amended unfair labor practice charge. On January 14, 2004, the Sheriff filed an objection to the amended charge and a motion to dismiss. On January 23, 2004, the Charging Party filed a response to the objection and in opposition to the motion to dismiss. On April 1, 2004, the Board found probable cause to believe that the Sheriff had committed an unfair labor practice, authorized the issuance of a complaint, referred the matter to hearing, directed the parties to unfair labor practice mediation, and denied the motion to dismiss as moot. On April 13, 2004, the Sheriff filed a motion to remand because the Charged Party did not believe it was given the opportunity to respond to the amended charge. On January 23, 2004, the Charging Party filed a response in opposition to the motion to remand. Vice Chairman Gillmor moved that the Board deny the motion for remand since the finding of probable cause is not a final ruling pursuant to Ohio Administrative Code Rule 4117-1-04(E). Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye GILLMOR Aye VERICH Aye  
Affirmed X Denied

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7. Case 03-ULP-11-0628 Ohio Association of Public School Employees, AFSCME Local 4, AFL-CIO v. Franklin County Board of Mental Retardation and Developmental Disabilities

On November 26, 2003, the Charging Party filed an unfair labor practice charge against the Charged Party. On April 1, 2004, the Board found probable cause to believe a violation had occurred, authorized the issuance of a complaint, referred the matter to an expedited hearing, and directed the parties to unfair labor practice mediation. On May 4, 2004, the Charging Party filed a letter seeking to withdraw the unfair labor practice charge. The Charging Party indicated that its decision was based on the parties having signed a collective bargaining agreement. Board Member Verich moved that the Board construe the Charging Party's letter as a motion to withdraw, grant the motion, and dismiss with prejudice the unfair labor practice charge. Vice Chairman Gillmor seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye GILLMOR Aye VERICH Aye  
Affirmed X Denied    

8. Case 02-ULP-02-0084 SERB v. City of Springdale

Vice Chairman Gillmor moved that the Board lift Item 1 from the tabled matters. Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye GILLMOR Aye VERICH Aye  
Affirmed X Denied    

On December 4, 2003, the Charging Party submitted a letter to show cause, contending that the Respondent had failed to comply with the terms of the October 23, 2003 settlement agreement. On January 22, 2004, a copy of the motion was sent to the Respondent. On February 4, 2004, the Respondent filed its response. The October 23, 2003 settlement agreement provides in relevant part as follows: "Respondent agrees that it will not promote or appoint a person to a bargaining-unit promotional position during the sixty (60) day period following October 29, 2003." The Charging Party contends that the Respondent promoted a fire fighter (and bargaining-unit member) to the position of Captain in the Springdale Fire Department on November 13, 2003, and the individual would serve as Captain of Unit 1 with all of the duties, responsibilities, and authority of that position. The Respondent provided information showing the action questioned by the Charging Party involved the appointment of Firefighter/Paramedic Steve Coley to the temporary promotion. The City of Springdale Council's Record of Proceedings for November 19, 2003, indicates that the City Administrator informed Council "firefighter Steve Coley has been appointed to the temporary position of fire captain until such time as the eligibility list can be established and a permanent appointment selected and made." During the parties' negotiations for a successor agreement, the issue of promotions was bargained, but not resolved. It was addressed in the fact-finder's report issued April 16, 2004. Both parties rejected the fact-finder's



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2. Case 04-ULP-01-0005 Communications Workers of America,  
Local 4501, AFL-CIO v. Ohio Secretary  
of State

The unfair labor practice charge alleged the Charged Party has violated Ohio Revised Code § 4117.11(A)(1), (3), and (5) by unilaterally imposing one-on-one meetings with bargaining-unit employees without their bargaining representative. Information gathered during the investigation revealed the meetings were not investigatory, and union representation was not required. Board Member Verich moved that the Board dismiss the charge with prejudice for lack of probable cause to believe that an unfair labor practice has been committed by the Charged Party. Vice Chairman Gillmor seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                  Denied   

3. Cases 04-ULP-01-0026 Aurora Education Association v. Aurora  
City Board of Education  
04-ULP-01-0027 Kenneth Brown v. Aurora City Board of  
Education

The unfair labor practice charges alleged the Charged Party has violated Ohio Revised Code § 4117.11(A)(1), (2), (3), and (8) by retaliating against Kenneth Brown for exercising guaranteed rights. Information gathered during the investigation revealed the lower evaluation remarks were for reasons other than Mr. Brown exercising guaranteed rights, e.g., his classroom evaluation. No information was provided to support the Ohio Revised Code § 4117.11(A)(2) or (8) violations occurred. Vice Chairman Gillmor moved that the Board dismiss the charges with prejudice for lack of probable cause to believe that an unfair labor practice has been committed by the Charged Party. Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                  Denied

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4. Case 04-ULP-02-0090 Anthony Piotrowski v. Cleveland Association of Rescue Employees, IUPA

The unfair labor practice charge alleged the Charged Party has violated Ohio Revised Code § 4117.11(B)(2), (3), and (6) by rejecting the Charging Party's winning grievance decision, having the decision reversed, and refusing to provide him with grievance documentation. Information gathered during the investigation revealed the charge is untimely filed. Board Member Verich moved that the Board dismiss the charge with prejudice as untimely filed. Vice Chairman Gillmor seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye GILLMOR Aye VERICH Aye  
Affirmed X Denied \_\_

5. Case 04-ULP-01-0042 Joseph L. Pulizzi v. Sandusky Fire Fighters, Local 327, IAFF

The unfair labor practice charge alleged the Charged Party has violated Ohio Revised Code § 4117.11(B)(6) by refusing to file a grievance over the Charging Party's December 21, 2000 termination. Information gathered during the investigation revealed the charge is untimely filed. Vice Chairman Gillmor moved that the Board dismiss the charge with prejudice as untimely filed. Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye GILLMOR Aye VERICH Aye  
Affirmed X Denied \_\_

6. Case 04-ULP-02-0080 Deborah Maynard v. Fairland Local School District Board of Education

The unfair labor practice charge alleged the Charged Party has violated Ohio Revised Code § 4117.11(A)(1) and (3) by placing a hidden video camera in the Charging Party's classroom because she was active in the union. Information gathered during the investigation revealed the camera was placed in the Charging Party's classroom because of security concerns for a student, and not for the Charging Party's protected activities, and the camera was directed at the student's desk. Board Member Verich moved that the Board dismiss the charge with prejudice for lack of probable cause to believe that an unfair labor practice has been committed by the Charged Party. Vice Chairman Gillmor seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye GILLMOR Aye VERICH Aye  
Affirmed X Denied \_\_

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7. Case 04-ULP-03-0158 Karen Adams v. City of Shaker Heights

The Charging Party has failed to provide a clear and concise statement of facts constituting an alleged violation. The Charging Party was notified to correct the deficiency but failed to do so. Vice Chairman Gillmor moved that the Board dismiss the charge without prejudice due to the Charging Party's failure to provide a clear and concise statement of the facts constituting the alleged violation. Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                  Denied   

8. Case 04-ULP-01-0004 Jacqueline M. Hunt v. Transport Workers Union of America, Local 212, AFL-CIO

The unfair labor practice charge alleged the Charged Party has violated Ohio Revised Code § 4117.11(B)(6) by failing to pursue a grievance over a pay raise. Information gathered during the investigation revealed the Charging Party is not a public employee, the Employer is not a public employer, the Charging Party does not allege a violation covered under Ohio Revised Code 4117, and the charge is not within the jurisdiction of SERB. Board Member Verich moved that the Board dismiss the charge with prejudice for lack of jurisdiction. Vice Chairman Gillmor seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                  Denied   

9. Case 04-ULP-02-0095 International Brotherhood of Teamsters, Local Union No. 377 v. Liberty Township Trustees, Trumbull County

The unfair labor practice charge alleged the Charged Party has violated Ohio Revised Code § 4117.11(A)(1) and (5) by reassigning a bargaining-unit member from her full-time position, and reassigning her duties to an employee outside the bargaining unit. Information gathered during the investigation revealed the bargaining-unit work was reassigned outside the bargaining unit without bargaining. Vice Chairman Gillmor moved that the Board find probable cause to believe an unfair labor practice has been committed, authorize the issuance of a complaint, refer the matter to hearing to determine if the Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (5) by reassigning a bargaining-unit member from her full-time position and reassigning her duties to an employee outside the bargaining unit, and direct the parties to ULP mediation. Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                  Denied

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10. Case 04-ULP-03-0129 Hugh P. Gaughan v. National Conference of Firemen and Oilers Local 701, SEIU, AFL-CIO

The unfair labor practice charge alleged the Charged Party has violated Ohio Revised Code § 4117.11(B)(1) and (6) by interfering with the Charging Party's right to file a grievance. Information gathered during the investigation revealed the Charged Party failed to provide the Charging Party with a grievance form so he could pursue a grievance on his own. Board Member Verich moved that the Board find probable cause to believe an unfair labor practice has been committed, authorize the issuance of a complaint, refer the matter to hearing to determine if the Charged Party violated Ohio Revised Code § 4117.11(B)(1), but not (6), by failing to file the grievance or to provide the Charging Party with the appropriate form to file a grievance, and direct the parties to ULP mediation. Vice Chairman Gillmor seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye GILLMOR Aye VERICH Aye  
Affirmed X Denied \_\_

11. Case 04-ULP-02-0117 Fraternal Order of Police, Ohio Labor Council, Inc. v. Clinton County Sheriff

The unfair labor practice charge alleged the Charged Party has violated Ohio Revised Code § 4117.11(A)(1) and (3) by discriminating against Deputies Stephanie Bivens and Pat Johnson because of their organizing efforts. Information gathered during the investigation revealed the charge is a duplicate filing of Case 03-ULP-11-0584. Vice Chairman Gillmor moved that the Board dismiss the charge with prejudice as being a duplicate filing of Case 03-ULP-11-0584. Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye GILLMOR Aye VERICH Aye  
Affirmed X Denied \_\_

12. Case 04-ULP-02-0074 Amalgamated Transit Union Local 268 v. Greater Cleveland Regional Transit Authority

The unfair labor practice charge alleged the Charged Party has violated Ohio Revised Code § 4117.11(A)(1) and (5) by bargaining in bad faith when it eliminated a past practice concerning vacation rights. Information gathered during the investigation revealed the Charged Party implemented a change to vacation rights after it was withdrawn from the bargaining table. Board Member Verich moved that the Board find probable cause to believe an unfair labor practice has been committed, authorize the issuance of a complaint, refer the matter to hearing to determine if the Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (5) by bargaining in bad faith when it eliminated a past practice of granting employees an additional forty hours of vacation time when an employee's anniversary hire date coincides with the contract's tiered years, and direct the parties to ULP mediation. Vice Chairman Gillmor seconded the motion.

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Chairman Drake called for any discussion and stated that she agrees with the recommendation based on the fact that past practices were eliminated, and that directing this case to hearing will provide a good case for the Board to address the notification required for the ending of a past practice. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                  Denied   

13. Case 03-ULP-12-0679                      Communications Workers of America,  
Local 4501 v. The Ohio State University

The unfair labor practice charge alleged the Charged Party has violated Ohio Revised Code § 4117.11(A)(1), (2), (3), and (8) by restricting its organizing activities while not restricting a rival union activities. Information gathered during the investigation did not reveal the disparate treatment of the rival union or that the charged Party's restricted organizing activity is in violation of Ohio Revised Code 4117. Vice Chairman Gillmor moved that the Board dismiss the charge with prejudice for lack of probable cause to believe that an unfair labor practice has been committed by the Charged Party. Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                  Denied   

14. Case 04-ULP-02-0058                      Parma Heights Firefighters, Local 1690,  
IAFF v. City of Parma Heights and Fire  
Chief Bryan Sloan

The unfair labor practice charge alleged the Charged Parties have violated Ohio Revised Code § 4117.11(A)(1), (3), and (5) by unilaterally changing the standard operating procedure for Lieutenants with regard to scheduling K-day leave, by unilaterally assigning nonbargaining-unit managers to perform Lieutenant's work, by disciplining Chapter President Tim Nickels because of his TV announcement of a union vote of "no confidence" in Assistant Chief William James, and by taking numerous actions against members of the Charging Party in retaliation. Information gathered during the investigation reveals the Charged Parties unilaterally changed the terms and conditions of Lieutenants' leave. The Charged Parties reassigned bargaining-unit work to the Assistant Chief. Charging Party President Nickels did not receive any discipline, and the discipline of Richard Lennox and Jeff Demetrius was for reasons other than exercising guaranteed rights. Board Member Verich moved that the Board find probable cause to believe an unfair labor practice has been committed, authorize the issuance of a complaint, refer the matter to hearing to determine if the Charged Parties violated Ohio

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Revised Code § 4117.11(A)(1) and (5), but not (3), by unilaterally assigning nonbargaining-unit employees to perform bargaining-unit work, and by unilaterally changing the standard operating procedure for Lieutenants with regard to scheduling K-Day leave, and direct the parties to ULP mediation. Vice Chairman Gillmor seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                  Denied   

15. Case 04-ULP-02-0099                      Huron Education Association, OEA/NEA and Roger Jones v. Huron City School District Board of Education

The unfair labor practice charge alleged the Charged Party has violated Ohio Revised Code § 4117.11(A)(1), (3), and (5) by retaliating and discriminating against an employee for exercising guaranteed rights. Information gathered during the investigation reveals the timing of the warning and evaluation is suspect, and no information was provided to support an Ohio Revised Code § 4117.11(A)(5) violation occurred. Vice Chairman Gillmor moved that the Board find probable cause to believe an unfair labor practice has been committed, authorize the issuance of a complaint, refer the matter to hearing to determine if the Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (3), but not (5), by issuing Mr. Jones a warning and poor evaluation after he engaged in protected activity, and by interfering with Mr. Jones in the exercise of his guaranteed rights, and direct the parties to ULP mediation. Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                  Denied   

16. Case 04-ULP-01-0003                      Transport Workers Union Local 208, AFL-CIO v. Central Ohio Transit Authority

The unfair labor practice charge alleged the Charged Party has violated Ohio Revised Code § 4117.11(A)(1), (3), and (8) by threatening to withhold overtime and actually withholding it in retaliation for the exercise of guaranteed rights and by attempting to cause an agent of the union to violate the statute. Information gathered during the investigation reveals the Charging Party's representative was threatened with denial of overtime if the union persisted with a grievance. A credibility issue exists on whether the threat was made, but the overtime was denied. Board Member Verich moved that the Board find probable cause to believe an unfair labor practice has been committed, authorize the issuance of a complaint, refer the matter to hearing to determine if the

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Charged Party violated Ohio Revised Code § 4117.11(A)(1), (3), and (8) by threatening to withhold overtime and actually withholding it in retaliation for the exercise of guaranteed rights, and by causing or attempting to cause an agent of the Union to commit a violation of the statute, and direct the parties to ULP mediation. Vice Chairman Gillmor seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
       Affirmed X                              Denied   

17. Case 03-ULP-12-0676                      Twinsburg Education Association, OEA/NEA v. Twinsburg City School District Board of Education
18. Case 03-ULP-12-0677                      Twinsburg Support Staff Association, OEA/NEA v. Twinsburg City School District Board of Education

Vice Chairman Gillmor moved that the Board remand these cases back to the Investigation Section for further investigation. Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
       Affirmed X                              Denied   

19. Case 03-ULP-11-0588                      American Association of University Professors – University of Akron v. University of Akron

The unfair labor practice charge alleged the Charged Party has violated Ohio Revised Code § 4117.11(A)(1) and (5) by unilaterally changing medical and retrenchment benefits. Information gathered during the investigation reveals the Charging Party delayed making a clear demand to bargain in a reasonable amount of time. Board Member Verich moved that the Board dismiss the charge with prejudice for lack of probable cause to believe that an unfair labor practice has been committed by the Charged Party. Vice Chairman Gillmor seconded the motion. Chairman Drake called for any discussion. General Counsel Russ Keith suggested an alternative motion, and Board Member Verich moved to amend his motion with the Board finding probable cause to believe an unfair labor practice has been committed, authorize the issuance of a complaint, referring the matter to hearing to determine if the Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (5) by unilaterally changing mandatory subjects of bargaining while the parties are negotiating their initial collective bargaining agreement, and directing the parties to ULP mediation. Vice Chairman Gillmor seconded the alternative motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
       Affirmed X                              Denied

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Chairman Drake then called for the vote on the motion as amended.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                  Denied   

20. Case 03-ULP-12-0664                      National Conference of Firemen and  
Oilers, Local 103 v. Lorain City School  
District Board of Education

The unfair labor practice charge alleged the Charged Party has violated Ohio Revised Code § 4117.11(A)(1), (3), (5), and (8) by threatening union representatives, refusing a request to caucus during a disciplinary meeting, refusing to allow union representatives to meet during working hours to prepare for negotiations, failing to provide requested information in a timely fashion, and by retaliating against a bargaining-unit employee for engaging in protected activity by denying him overtime. Information gathered during the investigation reveals the Charged Party did not allow the union representatives to caucus. The Charged Party changed the practice of allowing the union members to hold meetings during work hours to prepare for contract negotiations. The Charged Party failed to provide requested information. The allegation regarding David Flores does not rise to the level of a violation. The Charged Party's actions may have caused or attempted to cause the Charging Party to violate the statute. No information was provided to support an Ohio Revised Code § 4117.11(A)(3) violation occurred. Board Member Verich moved that the Board find probable cause to believe an unfair labor practice has been committed, authorize the issuance of a complaint, refer the matter to hearing to determine if the Charged Party violated Ohio Revised Code § 4117.11(A)(1), (5), and (8), but not (3), by threatening union representatives, refusing a request to caucus during an investigatory meeting, refusing to allow union representatives to meet during work hours to prepare for negotiations, failing to provide requested information relative to negotiations in a timely fashion, dismiss the allegations concerning David Flores and the failure to provide Louis Mosley his Garrity rights, and direct the parties to ULP mediation. Vice Chairman Gillmor seconded the motion. Chairman Drake called for the vote.

Vote: DRAKE Aye                      GILLMOR Aye                      VERICH Aye  
Affirmed X                                  Denied   

21. Case 04-ULP-03-0156                      International Brotherhood of Teamsters,  
Local 244 v. City of Brunswick

22. Case 04-ULP-02-0103                      Hayden Ballinger v. State of Ohio,  
Department of Youth Services, Indian  
River Juvenile Correctional Facility

23. Case 04-ULP-02-0104                      Hayden Ballinger v. Ohio Civil Service  
Employees Association, AFSCME  
Local 11, AFL-CIO

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| 24. | Case | 04-ULP-02-0111 | <u>Joseph L. Pulizzi v. City of Sandusky,<br/>Fire Department</u>  |
| 25. | Case | 04-ULP-03-0122 | <u>Henry E. Zech, Jr. v. Defiance City<br/>School District Board of Education</u>                                    |
| 26. | Case | 04-ULP-03-0170 | <u>Stephen C. Lester v. State of Ohio,<br/>Department of Youth Services, Ross<br/>Juvenile Correctional Facility</u> |
| 27. | Case | 04-ULP-03-0171 | <u>Stephen C. Lester v. Ohio Civil Service<br/>Employees Association, AFSCME<br/>Local 11, AFL-CIO</u>               |

Vice Chairman Gillmor moved that the Board dismiss the charges with prejudice because the Charging Parties have failed to pursue the matters. Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote:	DRAKE <u>Aye</u>	GILLMOR <u>Aye</u>	VERICH <u>Aye</u>
	Affirmed <u>X</u>	Denied <u>  </u>	

VI. ADMINISTRATIVE MATTERS

Executive Director Pat Snyder reported that Operation Feed was a huge success, largely due the leadership of Barb Kelly, along with the help of Tina McNeal, Cheri Alexander, Vera Hamilton, Alan Bonham, Gary Kennedy, and all who participated. Executive Director Snyder read a special resolution that was presented to Ms. Kelly for her hard work. Vice Chairman Gillmor moved that the Board accept this resolution. Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote:	DRAKE <u>Aye</u>	GILLMOR <u>Aye</u>	VERICH <u>Aye</u>
	Affirmed <u>X</u>	Denied <u>  </u>	

Executive Director Snyder updated the Board on reorganization issues. Regarding computer services, Ms. Snyder stated that Sophisticated Systems, Inc. is on board performing the systems analysis and stabilization phase of its contract and installing new servers. She said that if any IT problems occur they should be reported by E-Mail to herself or Sandy Stiffler, who will in turn forward the inquiries to the assigned company representative, Bill Sommer, for assistance.

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Executive Director Snyder then updated the Board on the Clerk's Office and advised that due to the reorganization she will be supervising the employees there until an Administrative Assistant 2 is hired. Linda Spieth, Customer Service Assistant 1, has resigned her position as of May 28, 2004, to have more time for herself and her family. Executive Director Snyder said she has met with Ms Spieth to go over her position and job duties, and how the work will be distributed to the remaining Customer Service Assistants in the Clerks Office. It was mentioned that closing cases, which Ms. Spieth handled among a number of other duties, will be put on hold for awhile. Ms. Spieth's position will be filled, and Ms. Snyder will receive a list from DAS of 10 individuals who have been certified for the Customer Service Assistant 1's position. Consistent with Ohio Civil Service requirements, these individuals will be sent a letter to see if they would like to interview for the position. If a suitable candidate does not emerge from the first list, another list of 10 will be received from DAS and processed in the same manner. Executive Director Snyder asked the Board for any input on which operations are most critical to maintain while that office is understaffed. Chairman Drake asked the other Board members if they would like to be involved in the interview process. Vice Chairman Gillmor and Board Member Verich asked to receive updates and to talk to the top two candidates from the interview process. They also suggested that the Clerks Office give input into interview questions and that someone from that office serve on the panel. The Board would also like the person selected to be one who has the capacity to learn and adept at detail work, so that there is a high likelihood of success.

Executive Director Snyder informed the Board that the Administrative Assistant 2 position has been approved by DAS. Board Member Verich requested that the Board know every facet of duties this person will be doing, what percentage of each duty will be performed, what is expected of this person, and clearly every aspect of the job this person will be conducting. Ms. Snyder indicated that the job posting contained this information, and he would receive a copy. She generally described the position, which includes supporting the Board and Executive Director, typing up the minutes and agendas for the Board meetings and any other meetings conducted by the Board, typing letters, reports, etc. for the Board and Executive Director, supervising the Clerks Office, and dealing with the agency's IT computer vendors.

Executive Director Snyder presented a memorandum to the Board discussing the recommended authorization to enter service level agreements. The support agreements for computer and office equipment support expire at the end of May 2004. The fiscal office is in the process of obtaining quotes to determine whether vendors used in FY 04 for these services provide the lowest and best quotes for FY 05. FY 04 support service has been provided by Software House International for firewall technical support in the amount of \$1,801.84; Computersite-Columbus for printers in the amount of \$3,300.00; and Sophisticated Systems for the Clearinghouse in the amount of \$3,400.00. Additionally, Intellinetics has provided support for the Intellivue and Docketing Interface Software for an annual cost of \$11,838.00 under its state term contract, and has invoiced SERB for a like amount to continue services during FY 05. Service logs for FY 04 were requested so that verification that a support contract with its first priority response time is

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a better value for the agency than a per-visit "al la carte" service system. Executive Director Snyder recommended to the Board that in order to have continuous technical support and obtain signed contracts before the FY 04 cut-off for encumbrances, the Board authorize the execution of service levels agreements, and that the contracts for firewall support, printers and Clearinghouse support, be entered with the vendor submitting the lowest and best of at least three quotes, not to exceed the cumulative dollar amount of FY 04 service level agreements. The Board asked questions as to whether the lump sum of \$11, 838.00 could be paid in quarters or does it have to be paid all up front, and what is the benefit of paying for it now. Executive Director Snyder suggested that paying for it now in FY 04 would be to our advantage while we can do it, because in FY 05 we have even more limited budget dollars. Vice Chairman Gillmor moved that the Board authorize (1) the execution of service level agreements for firewall support, printers, and Clearinghouse support in a cumulative amount not to exceed \$8,750.00, with each vendor chosen from the lowest and best of three quotes, and (2) the execution of a contract with Intellinetics to maintain the Intellivue and Docketing Interface Software in an amount not to exceed \$11,838.00 for FY 05. Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote:	DRAKE <u>Aye</u>	GILLMOR <u>Aye</u>	VERICH <u>Aye</u>
	Affirmed <u>X</u>	Denied <u>  </u>	

Executive Director Snyder updated the Board on Year-To-Date Case filings. She reported that:

ULP Filed	- 604 (FYTD 03)	571 (FYTD 04)
Elections Conducted	- 69 (FYTD 03)	54 (FYTD 04)

She reported that complete mediation information through April 2004 was not available yet and she is verifying for accuracy some preliminary figures showing a dramatic increase in the number of representation petitions filed.

Executive Director Snyder and Chairman Drake discussed the ALRA conference that will be held in Halifax, Nova Scotia on July 24-28, 2004. Tom Worley, Chairman Drake, and Executive Director Snyder will be attending the conference. Executive Director Snyder recommended that the Board approve the \$325.00 registration fee for the Chairman to attend the conference, but not to include the hotel or airfare expenses, which she will pay for herself. Mr. Worley and Executive Director Snyder will request that their registration fees be reimbursed through the DAS Exempt Professional Development Program. They will also pay their own hotel and airfare expenses. Vice Chairman Gillmor moved that the Board approve the payment of \$325.00 for the registration of Chairman Drake to attend the ALRA convention. Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote:	DRAKE <u>Recused</u>	GILLMOR <u>Aye</u>	VERICH <u>Aye</u>
	Affirmed <u>X</u>	Denied <u>  </u>	

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Chairman Drake discussed with the Board a project that she and Mediator Tom Worley have been working on with FMCS, OEA, OAPSE, and OSBA regarding health care insurance issues. The Health Care project's focus has been to find ways to help parties deal with difficult health insurance issues in bargaining, and figure out how to increase the number and effectiveness of joint labor-management health care committees in public education. The Health Care project consists of two phases. In the first phase, it is proposed that SERB and FMCS jointly conduct five or six training sessions that are regionally based and would apply to the school setting. The second phase would include seeking a grant to fund future training to be available to all Ohio public sector jurisdictions. It was proposed to the Board that, subject to approval from SERB, Tom Worley could lead the effort to draft the grant proposal asking FMCS for funding on behalf of the Committee, to train public sector practitioners statewide on bargaining health-care issues for potential submission. Mr. Worley would need to work an additional 40 paid hours during the FY 04 on the project. The proposal is due by June 30, 2004. The Board had questions and concerns regarding this project and what impact it would have on SERB's mediation process. Bureau Chief Dale Zimmer and Mr. Worley made it clear to the Board that SERB's mediations would be conducted as usual, and this additional training would not interfere with SERB's mediation sessions. SERB has always conducted priority negotiations and strike situations first and foremost. The more routine types of cases for mediation purposes are handled next. Training conducted by SERB has always been scheduled when possible, and has not interfered with the workload of SERB's mediators while conducting mediation sessions. The proposed training in this project, to be conducted by Mr. Worley, would not interfere with his normal work schedule, and he would not incur additional leave time. Vice Chairman Gillmor and Board Member Verich had some concerns and requested to know what exactly is expected of Mr. Worley's time, the cost benefits of this project, and the benefits this project would have on SERB's mediation process in the future and its overall caseload and training commitments. They requested this information be given to them before the next Board Meeting on June 10, 2004, before it will consider whether SERB staff should participate in the health-care training of this project. Vice Chairman Gillmor moved only that the Board grant Tom Worley 40 additional work hours during FY '04 to work on a grant proposal, curricular development and statistical support information on a Joint Labor Management Health Care Committee project. Board Member Verich seconded the motion. Chairman Drake stated she was abstaining from voting due to her participation in the Joint Committee. Vice Chairman called for the vote.

Vote: DRAKE Abstained GILLMOR Aye VERICH Aye  
Affirmed X Denied \_\_

Executive Director Snyder discussed the Governor's Fitness Challenge with the Board. SERB had 10 people participate, and all did very well. It was a team effort not only for those participating in the events, but also for those cheering them on. Special t-shirts prepared by Jackie Murray were worn by the SERBian athletes and cheerleading supporters, and were paid for by SERB staff.

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Executive Director Snyder mentioned that Operation Feed has concluded except for one last fund-raiser, which is to guess how many meals SERB will have provided during this project. The last of the boxes of food will be taken over next week and a final count will be available at that time. She and Chairman Drake are very proud of the staff in their support for this needy cause. They have really outdone themselves.

Finally, Chairman Drake had some concerns regarding ex parte communications and wanted the Board to be aware of them. Chairman Drake became aware of concerns that raised when she attended a luncheon where a practitioner spoke and referenced legal issues raised by an unfair labor practice charge that was pending in SERB's Investigation Section. Chairman Drake has asked General Counsel Russ Keith to research what the standards are that have been set by the NLRB and other state employment relations boards in order to give SERB Board members guidance on this issue. Chairman Drake wants to make sure the Board knows how to handle such issues in the future.

Executive Director Snyder reminded the Board members that they will be presenting service pins to the appropriate staff who have earned them in recognition for their years of service as part of the Public Employees Recognition Week.

VII. ADJOURNMENT

Vice Chairman Gillmor moved that the Board adjourn the meeting. Board Member Verich seconded the motion. Chairman Drake called for the vote.

Vote:	DRAKE <u>Aye</u>	GILLMOR <u>Aye</u>	VERICH <u>Aye</u>
	Affirmed <u>X</u>	Denied <u>  </u>	

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Carol Nolan Drake, Chairman