

State Employment Relations Board  
Board Meeting Minutes  
April 20, 2006

The State Employment Relations Board met on Thursday, April 20, 2006, at 10:00 a.m., at 65 East State Street, Columbus, Ohio. Present at the meeting were Chairman Craig R. Mayton, Vice Chairman Karen L. Gillmor, and Board Member Michael G. Verich.

I. APPROVAL OF MINUTES OF PREVIOUS MEETING:

Vice Chairman Gillmor moved that the Board approve the minutes for the April 6, 2006 Board meeting. Board Member Verich seconded the motion. Chairman Mayton called for the vote.

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

II. MEDIATION AND FACT-FINDING MATTERS AT ISSUE:

There were no Mediation matters.

III. REPRESENTATION MATTERS AT ISSUE:

1. Case 06-REP-01-0010 Butler Township Professional Firefighters, IAFF and Butler Township Fire Department, Montgomery County

The Employee Organization has filed a Request for Recognition seeking to represent certain employees of the Employer. The substantial evidence is sufficient, and no objections have been filed. The Employer has complied with the posting requirements set forth in Ohio Revised Code § 4117.05(A)(2). Board Member Verich moved that the Board certify the Employee Organization as the exclusive representative of all employees in the bargaining unit. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for the vote.

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

2. Case 05-REP-08-0110 Fraternal Order of Police, Ohio Labor Council, Inc. and Carroll County Sheriff

The Employee Organization has filed a Request for Recognition seeking to represent certain employees of the Employer. The substantial evidence is sufficient, and no objections have been filed. The Employer has complied with the posting requirements set forth in Ohio Revised Code § 4117.05(A)(2). Vice Chairman Gillmor moved that the Board certify the Employee Organization as the exclusive representative of all employees in the bargaining unit. Board Member Verich seconded the motion. Chairman Mayton called for the vote.

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

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3. Case 06-REP-03-0044 Prairie Township International Association of Fire Fighters, Local 2985 and Prairie Township, Franklin County

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 include the Captain classification. Board Member Verich moved that the Board approve the jointly filed petition and amend the unit accordingly. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for the vote.

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

4. Case 06-REP-01-0003 Greg Wertz and Ohio Council 8, American Federation of State, County, and Municipal Employees, AFL-CIO and Five Rivers Metro Parks  
May 24, 2006

The Petitioner has filed a Petition for Decertification Election seeking to decertify the Employee Organization, which is the Board-certified exclusive representative for certain employees of the Five Rivers Metro Parks (Employer). The parties have entered into a Consent Election Agreement seeking an election on May 24, 2006. Vice Chairman Gillmor moved that the Board approve the Consent Election Agreement and direct an election to be conducted on the date indicated. Board Member Verich seconded the motion. Chairman Mayton called for the vote.

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

5. Case 06-REP-01-0012 Ohio Patrolmen's Benevolent Association and City of the Village of Indian Hill  
May 18, 2006

The Employee Organization has filed a Request for Recognition seeking to represent certain employees of the Employer. The Employer has responded by filing objections and a Petition for Representation Election. The parties have entered into a Consent Election Agreement seeking an election on May 18, 2006. Board Member Verich moved that the Board approve the Consent Election Agreement and direct an election to be conducted on the date indicated. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for the vote.

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

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6. Case 05-REP-12-0185 International Brotherhood of Electrical Workers, AFL-CIO, Local Union #306 and City of Wadsworth
- There were 24 ballots cast
  - There were 0 challenged ballots
  - No Representative received 5 votes
  - International Brotherhood of Electrical Workers, AFL-CIO, Local Union #306 received 19 votes and has prevailed in this election.
7. Case 05-REP-09-0125 Ohio Patrolmen's Benevolent Association and Fraternal Order of Police, Ohio Labor Council, Inc. and Wood County Sheriff
- There were 63 ballots cast
  - There were 0 challenged ballots
  - No Representative received 0 votes
  - Fraternal Order of Police, Ohio Labor Council, Inc., received 8 votes
  - Ohio Patrolmen's Benevolent Association received 55 votes and has prevailed in this election.
8. Case 05-REP-09-0126 Ohio Patrolmen's Benevolent Association and Fraternal Order of Police, Ohio Labor Council, Inc. and Wood County Sheriff
- There were 20 ballots cast
  - There were 0 challenged ballots
  - No Representative received 0 votes
  - Fraternal Order of Police, Ohio Labor Council, Inc. received 3 votes
  - Ohio Patrolmen's Benevolent Association received 17 votes and has prevailed in this election.



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IV. ADMINISTRATIVE LAW JUDGE RECOMMENDATIONS AT ISSUE:

1. Case 05-ULP-04-0179 Avon Teachers Association, OEA/NEA v. Avon Local School District Board of Education
2. Case 05-ULP-10-0574 Bath Local School District Board of Education v. Bath Education Association, OEA/NEA
3. Case 05-ULP-09-0506 Kelly L. Spergin v. Ohio Civil Service Employees Association, AFSCME Local 11, AFL-CIO

Board Member Verich moved that the Board approve and adopt the settlement agreements, construe the settlement agreements as motions to withdraw, grant all of the motions to withdraw and dismiss, and dismiss with prejudice the unfair labor practice charges. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for the vote.

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

V. UNFAIR LABOR PRACTICE CHARGE MATTERS AT ISSUE:

1. Case 06-ULP-03-0126 John Pilagonia v. P.C.S. Automotive, Inc.

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(A)(3) by not paying the Charging Party for the one day he worked. The investigation reveals the Charging Party does not allege a violation covered under Ohio Revised Code Chapter 4117. The Charging Party is not a public employee, and the Charged Party is not a public employer as defined by the statute. The charge is not within the jurisdiction of SERB. Vice Chairman Gillmor moved that the Board dismiss the charge with prejudice for lack of jurisdiction. Board Member Verich seconded the motion. Chairman Mayton called for the vote.

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



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4. Case 06-ULP-01-0017 Buckeye Central Education Association and Mark McCoy v. Buckeye Central Local School District Board of Education

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (3) by discriminating and retaliating against Mark McCoy for the exercise of guaranteed rights. The investigation reveals Mr. McCoy was not interfered with, restrained, or coerced from filing his grievances over his evaluation. The Employer has processed the Charging Parties' grievances, and Mr. McCoy has not been harmed. 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 Mayton called for the vote.

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

5. Case 06-ULP-01-0029 Ohio Civil Service Employees Association, AFSCME Local 11, AFL-CIO, Chapter 2595 v. State of Ohio, Department of Taxation

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(A)(2) by restricting and interfering with the Charging Party's formation of Labor Management and Steward committees. The investigation reveals the matter is strictly contractual with no arguable statutory violation. 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 Mayton called for the vote.

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

6. Case 06-ULP-02-0074 Elizabeth June Johnson v. Fraternal Order of Police, Ohio Labor Council, Inc.

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(B)(6) by failing to fairly represent the Charging Party. The investigation reveals 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 Mayton called for the vote.

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

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7. Case 06-ULP-01-0031 Service Employees International Union, District 1199 v. State of Ohio, Department of Mental Retardation and Developmental Disabilities

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(A)(1), (5), and (8) by dealing directly with bargaining-unit members regarding a potential job abolishment in violation of the parties' collective bargaining agreement. The investigation reveals the matter is strictly contractual and no direct dealing occurred. 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 Mayton called for the vote.

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

8. Case 06-ULP-01-0035 Lewis Johnson v. International Brotherhood of Electrical Workers, Local 39

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(B)(6) by failing to represent the Charging Party through the grievance process. The investigation reveals the Charging Party was represented. The Charging Party's grievance has not been taken to arbitration based on the merits. Insufficient information has been provided to show the Charged Party's actions were arbitrary, discriminatory, or in bad faith. Knowledge of the alleged violations prior to November 1, 2005, has occurred more than 90 days before the charge was filed with the Board. No mitigating circumstances exist that warrant equitable tolling of the statute of limitations. 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, and as untimely filed for events occurring prior to November 1, 2005. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for the vote.

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

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9. Case 06-ULP-01-0036 Lewis Johnson v. City of Oberlin

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(A)(1), (3), and (8) by unjustly terminating the Charging Party and encouraging the Union not to take his grievance to arbitration. The investigation reveals the Charging Party was not engaged in protected activities when he was terminated. Insufficient information has been provided to support Ohio Revised Code § 4117.11(A)(1) and (8) allegations. Knowledge of the alleged violations prior to November 1, 2005, has occurred more than 90 days before the charge was filed with the Board. No mitigating circumstances exist that warrant equitable tolling of the statute of limitations. 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, and as untimely filed for events occurring prior to November 1, 2005. Board Member Verich seconded the motion. Chairman Mayton called for the vote.

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

10. Case 06-ULP-02-0043 Brimfield Township Board of Trustees, Portage County v. International Brotherhood of Teamsters, Local 24 and Vice President Dave Richards

The unfair labor practice charge alleged the Charged Parties violated Ohio Revised Code § 4117.11(B)(2) and (3) by requesting that the Charging Party remove one of the bargaining-unit members from a negotiations session, and by refusing to continue negotiations with the Charging Party. The investigation revealed the Charged Parties did ask the Charging Party to remove one of the bargaining-unit members, who was not a member of the bargaining team, from the negotiation sessions. The parties met and came to a tentative agreement. Insufficient information was provided to show an Ohio Revised Code § 4117.11(B)(3) violation occurred. 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 Parties. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for the vote.

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



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13. Case 05-ULP-12-0636 Terry Brown v. Ohio Council 8, American Federation of State, County and Municipal Employees, AFL-CIO

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(B)(6) by failing to take the Charging Party's grievance to arbitration. The investigation reveals the grievance was not taken to arbitration based on the merits. The Charged Party's actions are not arbitrary, discriminatory, or in bad faith. Knowledge of the allegation of a conspiracy on or before October 21, 2004, has occurred more than 90 days before the charge was filed with the Board. No mitigating circumstances exist that warrant equitable tolling of the statute of limitations. 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, and as untimely filed for the alleged violations occurring in October 2004. Board Member Verich seconded the motion. Chairman Mayton called for the vote.

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

14. Case 05-ULP-12-0643 Amalgamated Transit Union, Local 697 v. Toledo Area Regional Transit Authority

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (5) by refusing to bargain in good faith over wages and health benefits and refusing to provide information on its financial condition. The investigation reveals the Charged Party engaged in negotiation practices that could be viewed as manipulative or abusive. The Charged Party has not provided the information requested and may have done so as a delay tactic. 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 an expedited hearing to determine if the Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (5) by refusing to bargain in good faith over wages and health benefits when it refused to provide information on its financial condition, and direct the parties to ULP mediation. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for the vote.

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

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15. Case 05-ULP-12-0648 Toledo Area Regional Transit Authority v. Amalgamated Transit Union, Local 697 and Business Agent Joe Jeffries

The unfair labor practice charge alleges the Charged Parties violated Ohio Revised Code § 4117.11(B)(3) by bargaining in bad faith. The investigation reveals insufficient information to show the Charged Parties engaged in bad-faith bargaining. 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 Parties. Board Member Verich seconded the motion. Chairman Mayton called for the vote.

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

16. Case 05-ULP-12-0660 Hazetta D. Sargent v. State of Ohio, Department of Mental Health, Twin Valley Behavioral Healthcare

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (3) by terminating the Charging Party so that she could not run for Union President. The investigation reveals insufficient information was provided to support the allegations. The Charging Party was not engaged in any protected activity when she was terminated. 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 Mayton called for the vote.

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

17. Case 05-ULP-12-0661 Hazetta D. Sargent v. Ohio Civil Service Employees Association, AFSCME Local 11, AFL-CIO

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(B)(2) and (6) by failing to represent the Charging Party. The investigation reveals the Charged Party continues to represent the Charging Party regarding her grievance. The Charged Party's actions are not arbitrary, discriminatory, or in bad faith. Insufficient information has been provided to support the Ohio Revised Code § 4117.11(B)(2) allegation. 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 Mayton called for the vote.

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

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18. Case 06-ULP-02-0037 International Association of Fire Fighters,  
Local 300 v. City of Chillicothe

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(A)(5) by refusing to bargain changes to the Charged Party's health-insurance coverage. The investigation reveals the matter is strictly contractual and not a statutory violation. 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 Mayton called for the vote.

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

19. Case 06-ULP-02-0050 John T. Fischbach v. City of Toledo

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(A)(3), (4), (6), (7), and (8) by unilaterally making changes to sections of the parties' collective bargaining agreement. The investigation reveals the Charging Party was not engaged in any protected activity when he was disciplined. The matter is before an arbitrator. Insufficient information has been provided to support the Ohio Revised Code § 4117.11(A)(4), (6), (7), and (8) allegations. 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 Mayton called for the vote.

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

20. Case 06-ULP-01-0012 International Brotherhood of Teamsters,  
Local 284 v. Springfield Metropolitan  
Housing Authority

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(A)(5) by unilaterally changing the policy regarding employees' access to the Family Medical Leave Act (FMLA) program. The investigation reveals that changing the FMLA policy is a mandatory subject of bargaining. 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)(5) by unilaterally changing its policy regarding employees to avail themselves of the provision of the Family Medical Leave Act (FMLA), thereby prohibiting employees from taking leave pursuant to the provisions of the FMLA, and direct the parties to ULP mediation. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for the vote.

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

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21. Case 06-ULP-02-0040

Ohio Council 8, American Federation of  
State, County and Municipal Employees,  
AFL-CIO v. Five Rivers Metro Parks

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(A)(1), (2), and (3) by refusing to permit the Charging Party's staff on the property and prohibiting bargaining-unit members from speaking to the union during breaks and lunches, or after working hours, on the Charged Party's property. The investigation reveals the Charged Party has provided access by a bargaining-unit member to circulate a decertification petition, but has denied access to the Charging Party. Insufficient information has been provided to support the Ohio Revised Code § 4117.11(3) violation. 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 (2), but not (3), by refusing to permit the Charging Party's staff on the property, and prohibiting bargaining-unit members from speaking to the Charging Party during breaks or lunches, or after working hours, on the Charged Party's property, and direct the parties to ULP mediation. Board Member Verich seconded the motion. Chairman Mayton called for the vote.

Vote: MAYTON:     Aye          GILLMOR:     Aye          VERICH:     Aye      
Affirmed     X                          Denied           

22. Case 06-ULP-01-0026

Communications Workers of America,  
Local 4546 and Robin Schenault v. Summit  
County Children Services

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (3) by retaliating against Michelle Tersigni when the Charged Party reassigned her after she requested union representation at a meeting. The investigation reveals 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 Mayton called for the vote.

Vote: MAYTON:     Aye          GILLMOR:     Aye          VERICH:     Aye      
Affirmed     X                          Denied

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23. Case 06-ULP-02-0039 Anthony J. George v. State Council of Professional Educators (SCOPE), OEA/NEA

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(B)(1) and (6) by failing to fairly represent the Charging Party. The investigation reveals the Charged Party processed the grievance to arbitration, but did not take it further based on the merits. The Charged Party's actions are not arbitrary, discriminatory, or in bad faith. 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 Mayton called for the vote.

Vote: MAYTON:     Aye          GILLMOR:     Aye          VERICH:     Aye      
Affirmed     X                          Denied           

24. Cases 05-ULP-12-0667 Kurt C. Eyman v. Fraternal Order of Police  
          05-ULP-12-0668 Lodge 18 and President Larry Germovsek  
          05-ULP-12-0669

The unfair labor practice charges alleged the Charged Parties violated Ohio Revised Code § 4117.11(B)(1) and (6) by failing to recognize the patrol officers bargaining unit as separate from the supervisory officers bargaining unit, and by appointing a captain to the patrol officer's bargaining team, by allowing nonbargaining-unit individuals to attend a union meeting where bargaining-unit issues and votes were taking place, and by failing to hold union meetings prior to the commencement of negotiations so that members could voice their issues and concerns for collective bargaining. The investigation reveals the statute permits multi-unit bargaining. The employee organization's constitution and by-laws permit the President to appoint negotiating-team members. The constitution and by-laws permit retirees to attend meetings. The captain attended the meeting by invitation to address any questions, which is not a violation of the statute. The members did vote on the twelve-hour shift issue. The issue of whether the negotiations team has to keep the members informed of negotiations progress is an internal union matter. Insufficient information has been provided to show the Charged Parties' actions were arbitrary, discriminatory, or in bad faith. Vice Chairman Gillmor moved that the Board dismiss the charges with prejudice for lack of probable cause to believe that unfair labor practices have been committed by the Charged Parties. Board Member Verich seconded the motion. Chairman Mayton called for the vote.

Vote: MAYTON:     Aye          GILLMOR:     Aye          VERICH:     Aye      
Affirmed     X                          Denied

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25. Cases 05-ULP-10-0560 Michael C. Badya v. Ohio Council 8, American Federation of State, County and Municipal Employees, Local 7, AFL-CIO
- 05-ULP-10-0573 Dwight D. Ramsdell v. Ohio Council 8, American Federation of State, County and Municipal Employees, Local 7, AFL-CIO

On March 2, 2006, the Board dismissed these charges for lack of probable cause to believe unfair labor practices have been committed by the Charged Party. On March 27, 2006, the Charging Parties filed timely requests for reconsideration of the Board's dismissal. No new information has been provided that was not already addressed in the original investigation. Board Member Verich moved that the Board construe the Charging Parties' requests for reconsideration as motions for reconsideration, and deny the motions with prejudice. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for the vote.

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

26. Cases 06-ULP-01-0009 Jesse Crumbley, III v. City of Cleveland and Chief William Meyers
- 06-ULP-01-0010 Jesse Crumbley, III v. City of Cleveland and Commissioner Robert Taskey

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

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

27. Case 06-ULP-02-0042 Fraternal Order of Police, Ohio Labor Council, Inc. v. City of Ashtabula, et al.
28. Case 06-ULP-03-0089 Canton Professional Educator's Association v. Canton City School District Board of Education

Board Member Verich moved that the Board grant all motions to withdraw the unfair labor practices. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for the vote.

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

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VI. ADMINISTRATIVE MATTERS

**Alan R. Bonham** – This meeting was Alan R. Bonham’s last official Board Meeting with SERB. The following resolution reflects Mr. Bonham’s public service, and his retirement from SERB effective April 28, 2006.

**Ohio State Employment Relations Board  
Alan R. Bonham. C.F.E.**

**Whereas**, Alan R. Bonham has served as Administrator of the Investigations Section since October 12, 1997; and

**Whereas**, Mr. Bonham is retiring effective Friday, April 28, 2006, marking more than eight years with SERB; and

**Whereas**, Mr. Bonham has provided strong and able leadership over the course of his tenure as Administrator of the Investigations Section, providing his staff with advice and counsel in the investigation of cases and writing of recommendations that supported the mission of the Board and the requirements of Ohio Revised Code Chapter 4117; and

**Whereas**, Mr. Bonham has unstintingly given of his abilities and considerable experience in the service of his country as a Marine Corps officer, in the field of law enforcement and investigative expertise as a Certified Fraud Examiner by providing security services for SERB over the entire period of his service here, therefore,

**Be It Resolved That:** We, the members of the State Employment Relations Board, express our deep gratitude and respect for Alan R. Bonham, and wish him well in his retirement.

Whereunto we have set our hands and seal this Twentieth Day of April, 2006.

Craig R. Mayton, J.D., Chairman  
Karen L. Gillmor, Ph.D., Vice Chairman  
Michael G. Verich, J.D., Member  
J. Russell Keith, Esq., General Counsel and Acting Executive Director

Board Member Verich moved that the Board adopt this resolution. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for the vote.

Vote: MAYTON:     Aye     GILLMOR:     Aye     VERICH:     Aye      
Affirmed     X     Denied           

VII. ADJOURNMENT

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

Vote: MAYTON:     Aye     GILLMOR:     Aye     VERICH:     Aye      
Affirmed     X     Denied           

          /s/ Craig R. Mayton            
Craig R. Mayton, Chairman