

State Employment Relations Board  
Board Meeting Minutes  
October 12, 2006

The State Employment Relations Board met on Thursday, October 12, 2006, at 10:05 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 THE PREVIOUS MEETING:

Vice Chairman Gillmor moved that the Board approve the minutes for the September 28, 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 presented.

III. REPRESENTATION MATTERS AT ISSUE:

1. Case 06-REP-04-0064                    General Truck Drivers and Helpers Union Local No. 92 and Stark County Commissioners

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

State Employment Relations Board  
Board Meeting Minutes  
October 12, 2006  
Page 2 of 16

2. Case 06-REP-09-0125 Bethel/Tate Professional Fire Fighters, IAFF and Madison Township, Richland 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 Assistant Chief.

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

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

3. Case 06-REP-06-0076 Jefferson Community College Education Association/OEA/NEA and Jefferson Community College

The Employee Organization is the Board-certified exclusive representative of certain employees of the Employer. The Employee Organization has filed a Petition for Clarification of Bargaining Unit seeking to clarify the existing unit to include Counselor/Mentor Coordinator and Counselor/Tutor Coordinator. The Employer has responded by filing a position statement setting forth its concerns regarding the exclusion. As a result of negotiations, the Employer has now filed a consent stating it does not oppose the clarification.

Board Member Verich moved that the Board approve the Petition for Clarification of Bargaining Unit, and clarify 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-03-0026 Ohio Council 8, American Federation of State, County and Municipal Employees, AFL-CIO and Licking County Prosecutor

The Employee Organization filed a Petition for Representation Election seeking to represent certain employees of the Employer. The Employer filed objections maintaining the proposed unit is inappropriate. A conference call was conducted for the purpose of executing a Consent Election Agreement. The parties could not reach an agreement concerning an appropriate bargaining unit. The Board directed the case to hearing to determine an appropriate bargaining unit and for all other relevant issues. As a result of mediation, the Employee Organization filed a letter withdrawing the petition.



State Employment Relations Board  
Board Meeting Minutes  
October 12, 2006  
Page 4 of 16

6. Case 06-REP-05-0067 Communications Workers of America and Athens  
County Department of Job & Family Services

The Employee Organization is the Board-certified exclusive representative of certain employees of the Employer. The Employer has filed a Petition for Amendment of Certification seeking to amend the existing bargaining unit to exclude nurses. The Employee Organization has filed a position statement opposing the amendment. A conference call has been conducted. The parties' dispute remains.

Vice Chairman Gillmor moved that the Board direct the case to hearing to determine an appropriate bargaining unit and for all other relevant issues, and direct the parties to mediation. Board Member Verich seconded the motion. Chairman Mayton called for the vote.

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

7. Case 06-REP-02-0021 Ohio Federation of Teachers-AFT/AFL-CIO and  
Cory-Rawson Local Schools

- There were 31 ballots cast
- There were 0 challenged ballots
- No Representative received 13 votes
- Ohio Federation of Teachers-AFT/AFL-CIO received 18 votes and has prevailed in this election.

Board Member Verich moved that the Board certify the election results and certify the prevailing employee organization as the exclusive representative of all employees in the relevant bargaining unit. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for the vote.

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

State Employment Relations Board  
Board Meeting Minutes  
October 12, 2006  
Page 5 of 16

IV. ADMINISTRATIVE LAW JUDGE RECOMMENDATIONS AT ISSUE:

1. Case 03-ULP-12-0671 SERB v. Twinsburg City School District Board of Education

The Charging Party filed an unfair labor practice charge against the Respondent. The Board found probable cause to believe a violation had occurred, authorized the issuance of a complaint, referred the matter to hearing, and directed the parties to unfair labor practice mediation. The parties filed a settlement agreement. The Board approved and adopted the settlement agreement; construed the settlement agreement as motions to withdraw and dismiss; granted the motions; dismissed the complaint; and dismissed with prejudice the unfair labor practice charge.

The Charging Party filed a motion to show cause. The Board directed the case 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. The Charging Party filed a motion to withdraw its motion to show cause because the matter giving rise to the motion had been settled by the parties. Counsel for Complainant filed a motion to dismiss the show cause motion.

Vice Chairman Gillmor moved that the Board grant the motions to withdraw and dismiss and rescind the July 15, 2006 direction to show cause hearing. Board Member Verich seconded the motion. Chairman Mayton called for the vote.

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

2. Case 05-ULP-05-0267 Twinsburg Support Staff Association, OEA/NEA v. Twinsburg City School District Board of Education

3. Case 06-ULP-04-0190 First Consolidated Professional Fire Fighters, Local 4322 v. First Consolidated Fire District

Board Member Verich moved that the Board approve and adopt the settlement agreement in Case 06-ULP-04-0190, construe the settlement agreement as a motion to dismiss, grant 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:	<u>    Aye    </u>	GILLMOR:	<u>    Aye    </u>	VERICH:	<u>    Aye    </u>
Affirmed	<u>    X    </u>	Denied	<u>          </u>		

State Employment Relations Board  
Board Meeting Minutes  
October 12, 2006  
Page 6 of 16

4. Case 04-ULP-10-0568                      SERB v. International Association of Fire  
Fighters, Local 1267

Vice Chairman Gillmor moved that the Board find that the International Association of Fire Fighters, Local 1267 violated Ohio Revised Code § 4117.11(B)(3) when it sent the October 2004 letter to the President of City Council, thereby attempting to bypass the City of North Olmsted's representative and deal directly with the legislative body; issue an order with a Notice to Employees requiring the Respondent to cease and desist from refusing to bargain collectively with the City of North Olmsted by attempting to bypass the City of North Olmsted's representative and deal directly with the legislative body, and from otherwise violating Ohio Revised Code § 4117.11(B)(3), and to take the following affirmative action: (1) post for sixty days in all the usual and normal posting locations where bargaining-unit employees of the City of North Olmsted who are represented by the International Association of Fire Fighters, Local 1267 work, the Notice to Employees furnished by the Board, and (2) notify the Board in writing within twenty calendar days from the date the order becomes final of the steps that have been taken to comply therewith; and issue a Board Opinion with supporting Findings of Fact and Conclusions of Law. Board Member Verich 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-07-0338                      Bob V. Ludt v. Ohio Patrolmen's Benevolent  
Association

Board Member Verich moved that the Board construe the Charging Party's letter as a motion to withdraw, and grant the motion with prejudice. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for the vote.

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

State Employment Relations Board  
Board Meeting Minutes  
October 12, 2006  
Page 7 of 16

2. Case 06-ULP-07-0343

Ohio Association of Public School  
Employees, AFSCME Local 4, AFL-CIO and  
Its Local 498 v. Kings 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 non-renewing Debbie Tucker's contract in retaliation for her exercise of guaranteed rights. Information gathered during the investigation reveals the Charging Parties established a prima facie case of discrimination. The Charged Party has provided a persuasive rebuttal to show that Ms. Tucker's contract was not renewed based on her job performance, and not for anti-union animus. The Charged Party has provided documentation to show that Ms. Tucker had received five counselings or reprimands based on her job performance between October 2005 and April 2006. Insufficient information has been provided to support the Ohio Revised Code § 4117.11(A)(1) 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           

3. Case 06-ULP-07-0346

West Chester Professional Fire Fighters,  
Local 3518, IAFF v. West Chester  
Township, Butler County

The unfair labor practice charge alleged the Charged Party violated Ohio Revised Code § 4117.11(A)(1) by dealing directly with bargaining-unit members regarding the terms and conditions of employment. Information gathered during the investigation revealed the Charged Party did not interfere with, restrain, or coerce the Charging Party's members when it issued its April 18, 2006 Trainer Memorandum of Understanding (MOU). The Trainer program was strictly voluntary, and no obligation existed for all bargaining-unit members to sign the MOU. The April 18, 2006 correspondence was sent only to the list of candidates whose names had been submitted by the Committee.



State Employment Relations Board  
Board Meeting Minutes  
October 12, 2006  
Page 9 of 16

6. Case 06-ULP-07-0360 Edward C. Johnson, Jr. v. International Brotherhood of Firemen and Oilers, Local 200

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(B)(2), (3), and (6) by failing to properly represent the Charging Party during his layoff. Information gathered during the investigation reveals the Charged Party's actions were not arbitrary, discriminatory, or in bad faith in its representation of the Charging Party during his layoff. The Charged Party and the Employer have conducted the layoffs in accordance with Articles 3.01 and 15 of the parties' collective bargaining agreement. Insufficient information has been provided to support the Ohio Revised Code § 4117.11(B)(2) and (3) 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 \_\_\_\_\_

7. Cases 06-ULP-07-0365 International Brotherhood of Firemen and Oilers, Local 200 v. Shaker Heights City School District Board of Education  
06-ULP-07-0366  
06-ULP-07-0367  
06-ULP-07-0368  
06-ULP-07-0369

The unfair labor practice charges allege the Charged Party violated Ohio Revised Code § 4117.11. Information gathered during the investigation reveals the Charging Party failed to provide clear and concise statements of the facts constituting the alleged violations.

Board Member Verich moved that the Board dismiss the charges without prejudice due to the Charging Party's failure to provide clear and concise statements of the facts constituting the alleged violations. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for the vote.

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

State Employment Relations Board  
Board Meeting Minutes  
October 12, 2006  
Page 10 of 16

8. Case 06-ULP-07-0385 Wanda Goldsborough v. Cuyahoga Metropolitan Housing Authority

The unfair labor practice charge alleged the Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (3) by terminating Charging Party without just cause. Information gathered during the investigation revealed the Charging Party has failed to establish a prima facie case of discrimination. The Charging Party failed to provide sufficient information to support that she was engaged in any concerted, protected activity at the time of her termination. The Charging Party was terminated because she admitted to striking a co-worker in an incident that resulted in her being taken into police custody. The Charging Party was terminated for violating the Charged Party's established policies and procedures, and not for anti-union animus. Insufficient information was provided to support the Ohio Revised Code § 4117.11(A)(1) 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 \_\_\_\_\_

9. Case 06-ULP-06-0279 Amalgamated Transit Union, Local No. 627 v. Southwest Ohio Regional Transit Authority (SORTA)/METRO

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(A)(1), (2), (4), and (5) by dealing directly with a member of the bargaining unit, and filing an unfair labor practice charge in retaliation for the Charging Party filing an unfair labor practice charge. Information gathered during the investigation fails to support the conclusion that the Charged Party's actions amount to a violation of the statute. The information provided demonstrates that Tom Gannon had the right, pursuant to Ohio Revised Code § 4117.03, to adjust his grievance. The Charged Party has the right to file its own unfair labor practice charge.

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 \_\_\_\_\_

State Employment Relations Board  
Board Meeting Minutes  
October 12, 2006  
Page 11 of 16

10. Case 06-ULP-06-0308 Ashtabula Association of Classified School Employees v. Ashtabula Area City School District Board of Education

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (5) by unilaterally assigning bargaining-unit duties to nonbargaining-unit employees by subcontracting field trip transportation. Information gathered during the investigation reveals that the collective bargaining agreement between the parties includes a grievance procedure culminating in final and binding arbitration. A grievance regarding the alleged unilateral change has been filed and is proceeding through the grievance procedure. While interpreting contract provisions such as Article 29, Section L and M, the arbitrator will determine whether subcontracting field trip transportation is a violation of the contract. Contract interpretation and application appear to lie at the heart of both the unfair labor practice charge and grievance dispute.

Vice Chairman Gillmor moved that the Board retain jurisdiction and defer the charge for resolution through the grievance-arbitration procedure in accordance with *In re Upper Arlington Ed Assn*, SERB 92-010 (6-30-92). Board Member Verich seconded the motion. Chairman Mayton called for the vote.

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

11. Case 06-ULP-06-0316 Robert R. Summers v. Toledo Police Patrolman's Association

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(B)(6) by failing to fairly represent the bargaining-unit employees. Information gathered during the investigation reveals the Charged Party's decision not to adjust the grievances on behalf of the Mounted Patrol Officers, and allowing the City to interfere with wages, hours, and terms and conditions of the Mounted Patrol Officers' employment, may constitute an unfair labor practice and should be addressed and determined in a hearing.

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)(6) by arbitrarily deciding not to represent all the members of the Mounted Patrol Unit when it failed to adjust grievances to reflect a violation of the parties' agreement, and by allowing the City to interfere with wages, hours, and terms and conditions of the Mounted Patrol Officers' employment, 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 \_\_\_\_\_

State Employment Relations Board  
Board Meeting Minutes  
October 12, 2006  
Page 12 of 16

12. Case 06-ULP-06-0317 Robert R. Summers v. City of Toledo,  
Division of Police

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(A)(1) by interfering with the terms and conditions of the Mounted Patrol Unit. Information gathered during the investigation reveals the Charged Party entered into a collective bargaining agreement with the Union to change the Mounted Patrol Officers' schedules. The issue is contractual and would be best addressed through the parties' grievance-arbitration process.

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 \_\_\_\_\_

13. Case 06-ULP-07-0327 Ohio Civil Service Employees Association,  
AFSCME Local 11, AFL-CIO, Chapter 5041  
v. State of Ohio, Department of  
Rehabilitation and Correction, State  
Penitentiary and Warden Marc Houk

The unfair labor practice charge alleges the Charged Parties violated Ohio Revised Code § 4117.11(A)(1), (2), (3), (4), and (7) by interfering with, restraining, and coercing employees in the exercise of guaranteed rights, and by removing an employee in retaliation for exercising those rights. Information gathered during the investigation reveals the Use of Force Committee was formed by the Charged Parties as a result of an incident that occurred at the Charged Parties' facilities. The information provided by the Charging Party fails to support its allegations. The issue of Anthony Jesko being improperly removed during his probationary period has been addressed previously in Case No. 06-ULP-06-0269.

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

State Employment Relations Board  
Board Meeting Minutes  
October 12, 2006  
Page 13 of 16

14. Case 06-ULP-03-0103 Nathaniel E. Easley v. City of Columbus,  
Department of Parks and Recreation

On June 8, 2006, the Board dismissed the unfair labor practice charge for lack of probable cause. The Charging Party alleged that the Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (4) by ignoring the rules of seniority in filling vacancies. On July 7, 2006, Charging Party filed a timely request for reconsideration. The Charging Party did not provide any new information.

Vice Chairman Gillmor moved that the Board construe the Charging Party's request as a Motion for Reconsideration, and denied the motion with prejudice. Board Member Verich seconded the motion. Chairman Mayton called for the vote.

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

15. Case 06-ULP-06-0258 Tommy Fuller v. Service Employees  
International Union, District 11, AFL-CIO  
Local 47

The unfair labor practice charge alleges the Charged Party violated Ohio Revised Code § 4117.11(B)(6) by failing to notify the Employer of its intent to arbitrate the Charging Party's termination grievance, which caused the arbitrator to deny the grievance. Information gathered during the investigation reveals there is a question as to whether the Charged Party failed to take a basic and required step or whether the Charging Party failed to assist the Charged Party by not notifying the Charged Party immediately after the acquittal. The Charged Party never argued it had asked the Charging Party to contact it once his criminal case concluded. The information provided failed to indicate whether the Charged Party asked Charging Party to help in any way. It was the Charged Party and the Employer who agreed to hold the grievance in abeyance, and not Charging Party. The investigator recommended 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)(6) by failing to timely pursue the Charging Party's grievance to arbitration, and direct the parties to ULP mediation.

State Employment Relations Board  
Board Meeting Minutes  
October 12, 2006  
Page 14 of 16

General Counsel Keith presented an alternative recommendation of dismissing the charge for lack of probable cause for the Board's determination. The Charging Party asserted that the Charged Party failed to take a basic and required step by not timely advancing Charging Party's grievance to arbitration. The Charged Party had agreed with the Employer to hold the grievance in abeyance pending the outcome of the criminal proceedings against Charging Party. According to the arbitrator's award, the arbitration request must have been made within 20 days of the conclusion of the criminal proceedings. The Charging Party's acquittal occurred on May 27, 2004. The earliest time that Charging Party admits to contacting the Charged Party was on August 2004, which is well beyond the time for the Charged Party to act timely.

In In re Ohio Civil Service Employees Assn Local 11 Chapter/Bureau of Motor Vehicles, SERB 94-015 (8-25-1994) at p. 3-95, the Board held that "it is implicit that the duty of fair representation encompass not only the union's duty to act in the best interest of the grievant, but also that the grievant not hinder this duty and assist when so requested. Grievants who act otherwise may later find themselves unsuccessful with charging the union with violating its duty of fair representation." The information upon which the Charged Party is alleged to have failed to act – the acquittal – was clearly within Charging Party's possession on May 27, 2004. The arbitrator acknowledged that there was no "explanation as to why grievant [Mr. Fuller] failed to contact his Union representative(s) long before December, 2004." The failure to act rested principally with Charging Party, not the Charged Party; and to find probable cause potentially rewards him for his inaction. Therefore, General Counsel Keith recommended that the Board find that probable cause does not exist in this matter.

Board Member Verich moved that the Board accept the alternative recommendation, and 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 any discussion, and stated that he agreed with the alternative recommendation because the information of when the acquittal occurred was external to the grievance process and well within the Charging Party's knowledge. It was thus incumbent upon the Charging Party to bring such external knowledge to the attention of the Charged Party. Chairman Mayton called for the vote.

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

16. Case 06-ULP-07-0332                      Eddie Lee Collins v. State of Ohio, Department of Rehabilitation and Correction, Dayton Correctional Institution

17. Case 06-ULP-06-0288                      Timothy Higginbotham v. Edison Local School District Board of Education

State Employment Relations Board  
Board Meeting Minutes  
October 12, 2006  
Page 15 of 16

18. Case 05-ULP-05-0266 Twinsburg Support Staff Association, OEA/NEA v. Twinsburg City School District Board of Education

Vice Chairman Gillmor moved that the Board construe the settlement agreement as a motion to withdraw, and grant all motions. Board Member Verich seconded the motion. Chairman Mayton called for the vote.

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

VI. ADMINISTRATIVE MATTERS

**Health Survey Update** - Executive Director Art Marziale reported that we have close to 70% in response to the survey that was sent out. Out of the 70% received, about 1,200 have been received electronically while the rest have been by mail or fax. They are still accepting the surveys as they come in. As soon as the new Researcher in the Research and Training Section starts next week, she will immediately start inputting the information into their database. Researcher Kay Raffo has been working with the Research and Training Section in accumulating the surveys, and has mentioned statistically we have a much better return rate of this type of information than other agencies. Vice Chairman Gillmor mentioned that we may want to make sure that the small numerical categories, such as Universities and Large Cities, have a sufficient representation to assure validity and reliability with our statistics. Chairman Mayton requested, on the Board's behalf, their heart-felt thank you be conveyed to Ms. Raffo for doing a great job on this project.

**Executive Session** – Board Member Verich moved that the Board go into executive session, pursuant to Ohio Revised Code § 121.22(G)(1), to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of public employees. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for the roll-call vote.

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

Vice Chairman Gillmor moved that the Board exit from executive session. Board Member Verich seconded the motion. Chairman Mayton called for the roll-call vote.

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

State Employment Relations Board  
Board Meeting Minutes  
October 12, 2006  
Page 16 of 16

**Budget FY 08-09** – Executive Director Marziale mentioned that due to DAS-mandated OAKS Training, the Chief Fiscal Officer was not able to attend this board meeting to discuss the budget. An informational packet was provided to the Board. A briefing will be scheduled for the October 26, 2006 Board meeting to discuss the materials.

**Transition Manual** – Executive Director Marziale presented the Board members with a draft of the transition manual that had been requested by the Governor’s Office. He indicated that the final draft of the manual is due on Monday, October 23, 2006.

VII. ADJOURNMENT

Board Member Verich moved that the Board adjourn the meeting. Vice Chairman Gillmor 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