

State Employment Relations Board

Board Meeting Minutes  
February 21, 2013

The State Employment Relations Board met on February 21, 2013, at 10:00 a.m., at 65 East State Street, 12<sup>th</sup> Floor, Columbus, Ohio. Present at the meeting were Chair W. Craig Zimpher and Board Member N. Eugene Brundige. The third SERB member position is vacant.

**I. APPROVAL OF MINUTES FOR THE JANUARY 31, 2013 BOARD MEETING:**

Board Member Brundige moved that the Board approve the minutes for the January 31, 2013 Board meeting. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

**II. MEDIATION AND FACT-FINDING MATTERS AT ISSUE:**

1. Case 2012-MED-08-0744 Teamsters, Local Union No. 436 and Cuyahoga County

On August 17, 2012, the Teamsters, Local Union No. 436 (Incumbent) filed a Notice to Negotiate concerning negotiations for a successor collective bargaining agreement.

On January 23, 2013, Cuyahoga County Sanitary Engineers, Local Union #1 (Rival) filed a Petition for Representation Election in Case No. 2013-REP-01-0005 seeking to displace the Teamsters, Local Union No. 436 as representative.

By a motion filed January 31, 2013, Cuyahoga County requests SERB stay negotiations pending disposition of the related representation Case No. 2013-REP-01-0005.

Board Member Brundige moved that the Board grant the motion to stay negotiations. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

2. Cases 2013-MED-01-0002 Ohio Patrolmen's Benevolent Association and  
2013-MED-01-0003 City of Cleveland Heights  
2013-MED-01-0045

On January 2, 2013, the Ohio Patrolmen's Benevolent Association (Incumbent) filed Notice(s) to Negotiate concerning negotiations for a successor collective bargaining agreement regarding the units of Classified Service Patrol Officers, Classified Service Captains, Lieutenants, Sergeants and Unclassified Service Basic Patrol Officers.

On December 11, 2013, the Fraternal Order of Police, Ohio Labor Council, Inc. (Rival) filed Petitions for Representation Election in Case No(s). 2012-REP-12-0146, 2013-REP-12-0147, and 2013-REP-0148 seeking to displace the Ohio Patrolmen's Benevolent Association.

By a motion filed January 18, 2013, City of Cleveland Heights requests SERB stay the negotiations pending disposition of the related representation Case No (s). 2012-REP-12-0146, 2013-REP-12-0147, 2013-REP-0148.

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Board Member Brundige moved that the Board grant the motion to stay negotiations. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes      ZIMPHER: Yes  
                    Affirmed      X                                      Denied      \_\_\_\_\_

**III. REPRESENTATION MATTERS AT ISSUE:**

1. Case 2012-REP-09-0101      Ohio Patrolmen's Benevolent Association and Fraternal Order of Police, George Murray Lodge No. 67 and City of Garfield Heights  
(March 5, 2013 – March 18, 2013)
  
2. Case 2012-REP-09-0110      U.A.W. Local 402, United Auto Workers International Union, AFL-CIO and Clark County Engineer's Office  
(March 5, 2013 – March 18, 2013)

All parties have executed and filed the appropriate Consent Election Agreements seeking mail-ballot elections.

Board Member Brundige moved that the Board approve the Consent Election Agreements and direct mail-ballot elections to be conducted during the polling periods indicated. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes      ZIMPHER: Yes  
                    Affirmed      X                                      Denied      \_\_\_\_\_

3. Case 2012-REP-11-0132      Fraternal Order of Police, Ohio Labor Council, Inc. and Knox County Sheriff
  
4. Case 2012-REP-11-0135      Teamsters Local Union No. 293 and Medina County Public Defender

The Employee Organizations filed Requests for Recognition. The substantial evidence is sufficient, and no objections have been filed. The Employers have complied with the posting requirements.

Board Member Brundige moved that the Board certify the Employee Organizations as the exclusive representatives of all employees in the relevant bargaining units. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes      ZIMPHER: Yes  
                    Affirmed      X                                      Denied      \_\_\_\_\_

5. Case 2012-REP-12-0139      Service Employees International Union District 1199, Greene County Public Library Chapter and Greene County Public Library

The parties jointly filed an amended Petition for Amendment of Certification. The proposed amendment appears appropriate.

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Board Member Brundige moved that the Board approve the jointly filed petition and amend the unit accordingly. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes      ZIMPHER: Yes  
                    Affirmed      X                                      Denied      \_\_\_\_\_

- 6. Case 2012-REP-07-0076      Service Employees International Union, District 1199 and The State of Ohio, Department of Veterans Services, Veterans Home
  
- 7. Case 2012-REP-09-0111      United Steelworkers (USW) and City of Westerville

The Employee Organizations filed Petitions for Amendment of Certification. The Employers filed position statements opposing the amendments. The Employee Organizations have now filed letters requesting to withdraw the petitions.

Board Member Brundige moved that the Board construe the Employee Organizations' letters as motions to withdraw, grant the motions, and dismiss without prejudice the Petitions for Amendment of Certification. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes      ZIMPHER: Yes  
                    Affirmed      X                                      Denied      \_\_\_\_\_

- 8. Case 2012-REP-09-0099      Eric Sierra and Ohio Association of Public School Employees (OAPSE)/AFSCME, Local 4, AFL-CIO and Williams County Board of DD

The Petitioner filed a Petition for Decertification Election and has now filed a letter requesting to withdraw it.

Board Member Brundige moved that the Board construe the Petitioner's letter as a motion to withdraw, grant the motion, and dismiss without prejudice the Petition for Decertification Election. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes      ZIMPHER: Yes  
                    Affirmed      X                                      Denied      \_\_\_\_\_

- 9. Case 2012-REP-12-0151      Benevolent Employees of the Hamilton County Sheriff and The Hamilton County Sheriff

The Employee Organization filed a Petition for Amendment of Certification and has now filed a Motion seeking to withdraw it.

Board Member Brundige moved that the Board grant the Employee Organization's motion, and dismiss without prejudice the Petition for Amendment of Certification. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

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Vote: BRUNDIGE: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

10. Case 2012-REP-08-0082 Teamsters Local No. 416 and City of Broadview Heights

The Petitioner filed a Petition for Amendment of Certification. The Association filed a Motion to Intervene maintaining that it is the exclusive representative of the employees in question. This matter is an attempt to sever employees from an existing bargaining unit.

SERB has set a high threshold for severing employees. The Petitioner has not submitted sufficient evidence demonstrating extraordinary circumstances to support the severance.

Board Member Brundige moved that the Board dismiss without prejudice the Petition for Amendment of Certification, and dismiss the Motion to Intervene as moot. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

11. Case 2012-REP-10-0112 Teamsters Union Local No. 416 and Association of Broadview Heights Service and Recreation Workers and City of Broadview Heights

This matter relates to the prior item. The Rival Employee Organization filed an amended Petition for Representation Election. The Incumbent Employee Organization filed a position statement.

At issue is whether the previous collective bargaining agreement controls the window period for filing or whether the successor agreement bars the filing of the Petition. In this matter, an election is not barred and the petition is valid.

The remaining issue is whether the petition seeking to sever employees from an existing unit is appropriate. The Rival Employee Organization has not submitted sufficient evidence demonstrating extraordinary circumstances to support the severance.

Board Member Brundige moved that the Board dismiss without prejudice the Petition for Representation Election because the Rival Employee Organization failed to provide evidence to support the severance as set forth in In re State of Ohio, SERB 95-012 (6-30-95). Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

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12. Case 2012-REP-09-0093 International Union of Operating Engineers, Local 18 and City of Findlay

The Employee Organization filed an amended Opt-In Petition for Representation Election. The Employer responded by filing objections. Attempts to negotiate a consent election have not been successful and the dispute between the parties remains.

Board Member Brundige 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. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

13. Case 2012-REP-02-0018 Hamilton County JFS Association and Ohio Council 8, American Federation of State, County and Municipal Employees, Local 1768 and Hamilton County Board of Commissioners/Hamilton County Department of Job and Family Services

The Board conducted a mail-ballot election in this matter. It was stayed pending a related Unfair Labor Practice charge. On January 31, 2013, the Board lifted the stay and certified the election results.

The Incumbent Employee Organization filed a Motion for Directive Tolling the Election Bar. The motion is unopposed. The Board has the authority to toll the election bar and in this case it appears appropriate.

Board Member Brundige moved that the Board grant the Incumbent Employee Organization's motion and issue a directive tolling the election bar from the date that this representation matter was stayed, on July 19, 2012, to the date that SERB approved the certification in this matter, January 31, 2013. The election bar shall be in effect from January 31, 2013 through January 31, 2014. The directive shall apply to both a petition for representation election and a petition for decertification election. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

**IV. ADMINISTRATIVE LAW JUDGE RECOMMENDATIONS AT ISSUE:**

1. Case 2012-ULP-05-0125 Fraternal Order of Police, Ohio Labor Council v. Columbiana County Sheriff

On May 25, 2012, the Fraternal Order of Police, Ohio Labor Council ("Charging Party") filed an unfair labor practice charge against the Columbiana County Sheriff's Office ("Charged Party"), alleging that Charged Party violated O.R.C. § 4117.11(A)(1).

On August 16, 2012, the State Employment Relations Board determined that probable



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referred the matter to hearing. On January 8, 2013, the parties participated in mediation.

On February 7, 2013, the parties filed a settlement agreement.

Board Member Brundige moved that the Board construe the parties' settlement agreement as a motion to withdraw, grant the motion, and dismiss with prejudice the unfair labor practice charge in Case No. 2012-ULP-10-0277. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE:	<u>Yes</u>	ZIMPHER:	<u>Yes</u>
Affirmed	<u>X</u>	Denied	_____

4. Cases 2012-ULP-08-0221 SERB v. Auglaize Acres Nursing Home  
2012-ULP-08-0229

On August 14 and 17, 2012, the Service Employees International Union, District 1199, ("Charging Party") filed unfair labor practice charges against the Auglaize Acres Nursing Home ("Charged Party"), alleging that Charged Party violated O.R.C. § 4117.11(A)(5).

On October 4, 2012, the State Employment Relations Board ("SERB" or "Complainant") determined that probable cause existed to believe Charged Party had committed or was committing unfair labor practices, consolidated Case Nos. 2012-ULP-08-0221 and 2012-ULP-08-0229, directed the parties to participate in unfair labor practice mediation, authorized the issuance of a complaint, and referred the matter to hearing. On October 9, 2012, a mediator's procedural order was issued. On October 31, 2012, a complaint was issued and a hearing was scheduled for December 19, 2012.

On January 22, 2013, Counsel for Complainant filed a motion to dismiss with a copy of the parties' settlement agreement that resolved the unfair labor practice charges in these cases.

Board Member Brundige moved that the Board grant the motion to dismiss and dismiss with prejudice the unfair labor practice charges and the complaint in Case Nos. 2012-ULP-08-0221 and 2012-ULP-08-0229. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE:	<u>Yes</u>	ZIMPHER:	<u>Yes</u>
Affirmed	<u>X</u>	Denied	_____

**V. UNFAIR LABOR PRACTICE CHARGE MATTERS AT ISSUE:**

1. Case 2012-ULP-10-0287 Streetsboro Education Association v. Streetsboro City School District Board of Education

The unfair labor practice charge alleged that Charged Party violated Ohio Revised Code §4117.11 (A)(1) and (5) by assigning bargaining-unit work to nonbargaining-unit employees.

Information gathered during the investigation revealed the issues are contractual with no arguable statutory violation.



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4. Case 2012-ULP-09-0245 LaTonya Sanford v. Ohio Civil Service Employees Association, AFSCME Local 11

The unfair labor practice charge alleged that Charged Party violated Ohio Revised Code §4117.11 (B)(2) and (6) by failing to fairly represent her.

Information gathered during the investigation revealed Charging Party did not provide any new information meriting reconsideration.

Board Member Brundige moved that the Board deny the motion for reconsideration with prejudice. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

5. Case 2012-ULP-09-0246 LaTonya Sanford v. State of Ohio, Department of Developmental Disabilities, Warrensville Developmental Center

The unfair labor practice charge alleged that Charged Party violated Ohio Revised Code §4117.11 (A)(1), (3), and (6) by denying her bumping rights to her previously held position.

Information gathered during the investigation revealed Charging Party did not provide any new information meriting reconsideration.

Board Member Brundige moved that the Board deny the motion for reconsideration with prejudice. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

6. Case 2012-ULP-10-0280 Communications Workers of America, Local 4501, AFL-CIO v. The Ohio State University

The unfair labor practice charge alleged that Charged Party violated Ohio Revised Code §4117.11 (A)(1) and (5) by unilaterally altering its members scheduled working hours. However, this matter appears to be contractual with no arguable statutory violation. The Employer's position that the schedule change has been past practice for a number of years appears to be supported by an affidavit provided by the Union. The Union did not file a grievance regarding the schedule change or provide sufficient information or documentation to support the (A)(1) allegation.

Board Member Brundige 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. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

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7. Case 2012-ULP-12-0318 Graham Education Association, OEA/NEA v. Graham Local School District Board of Education

The unfair labor practice charge alleged that Charged Party violated Ohio Revised Code §4117.11 (A)(1) and (5) by unilaterally modifying the terms and conditions of employment for the Guidance Counselors and by assigning bargaining-unit work to nonbargaining-unit employees.

Information gathered during the investigation revealed Charged Party's position that it did not need to bargain the GASA staff doing bargaining-unit work is flawed. Based on past practice, the parties bargained the affects/effects of the creation of the GDA and the ABGA prior to implementation. Charging Party did not provide sufficient information or documentation to support the (A)(1) allegation.

Board Member Brundige moved that the Board find probable cause to believe an unfair labor practice has been committed, order the parties immediately to ULP mediation for a period not to exceed 45 days, authorize the assigned mediator, after consultation with the parties, to issue and e-mail a mediator's procedural order, including date, time, and location of mediation within the time period designated. If the mediation is unsuccessful, authorize the issuance of a complaint and refer the matter to hearing to determine if Charged Party violated Ohio Revised Code 4117.11(A)(5) but not (1) by unilaterally assigning bargaining-unit work to nonbargaining-unit employees when it unilaterally created the Graham American School Academy (GASA). Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

8. Case 2012-ULP-12-0324 Beavercreek Professional Firefighters Local 2857 v. Beavercreek Township Board of Trustees

The unfair labor practice charge alleged that Charged Party violated Ohio Revised Code §4117.11 (A)(5) by unilaterally modifying Article 33 of the parties' agreement when it ordered a 3-day Fit-for-Duty examination for one of its members.

Information gathered during the investigation revealed the matter appears to be purely contractual with no arguable statutory violation. Contrary to Charging Party's allegation that Lt. Young was ordered to the IME, it appears the parties met, prior to the IME to discuss the letter, and Lt. Young agreed to the IME. If Charging Party had concerns or objections to the content of the IME, it had the opportunity to voice those concerns, but it did not. Charging Party also had an opportunity, once the additional tests were ordered to voice its concerns, but it did not. Charging Party did not file a grievance regarding the IME.

Board Member Brundige 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. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

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9. Case 2010-ULP-08-0317 Ohio Association of Public School Employees, AFSCME Local 4 and Its Local 546 v. Martins Ferry City School District Board of Education

The unfair labor practice charge alleged that Charged Party violated Ohio Revised Code §4117.11 (A)(1), (3), (5), and (8) by unilaterally changing the job descriptions after a Reduction in Force in order to preclude its senior members from being qualified for the new positions.

Information gathered during the investigation revealed on December 16, 2010, SERB deferred the unfair labor practice charge to the parties' grievance-arbitration procedure. SERB requested updates on November 1, 2011 and January 31, 2013. On February 6, 2013, SERB was advised the matter had been settled locally and was not sent to arbitration.

Board Member Brundige moved that the Board dismiss the charge with prejudice as having been resolved between the parties pursuant to the grievance-arbitration process. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

10. Case 2012-ULP-10-0273 Steven Rader, et al v. Shawnee Education Association

The unfair labor practice charge alleged that Charged Party violated Ohio Revised Code §4117.11 (B)(6) by failing to equally represent its members during negotiations.

Information gathered during the investigation revealed Charged Party's actions were not arbitrary, discriminatory or in bad faith and do not rise to the level of a statutory violation.

Board Member Brundige 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. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

11. Case 2012-ULP-10-0274 Steven Rader, et al v. Shawnee State University

The unfair labor practice charge alleged that Charged Party violated Ohio Revised Code §4117.11 (A)(8) by reducing compensation for certain members of the bargaining unit in collusion with the exclusive bargaining representative during negotiations.

Information gathered during the investigation revealed it appears the matter is purely contractual with no arguable statutory violation. Also, it does not appear Charged Party's actions rise to the level of a statutory violation.

Board Member Brundige moved an alternative recommendation that the Board remand this matter to the investigations section with instructions to prepare a more appropriate analysis and discussion, and to submit the revised recommendation to the board at its

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next regular meeting. Chair Zimpher seconded the motion. Chair Zimpher called for discussion.

Board Member Brundige shared the following rationale for his recommendation:

*This matter is clearly not a question of deferral to arbitration and yet the discussion is based, in large part, on In Re Upper Arlington Education Assn. SERB 92-010. A remand will allow the section to re-examine the case, and prepare a more on point analysis and discussion.*

Chair Zimpher called for the vote.

Vote: BRUNDIGE: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

12. Case 2012-ULP-12-0316 Municipal Foreman & Laborers Union Local 1099 v. City of Brooklyn

The unfair labor practice charge alleged that Charged Party violated Ohio Revised Code §4117.11 (A)(5).

Information gathered during the investigation revealed on February 12, 2013, the parties filed a Joint Motion to Hold in Abeyance the above referenced charge through May 31, 2013, to allow the parties the opportunity to explore potential settlement of this dispute. In the event the matter is not resolved by May 31, 2013, the parties' position statements will be due on or before June 7, 2013.

Board Member Brundige moved that the Board grant the motion to hold the charge in abeyance through May 31, 2013. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

13. Case 2012-ULP-10-0270 Kyle Hysell v. City of Tallmadge
14. Case 2012-ULP-10-0271 Kyle Hysell v. International Brotherhood of Teamsters Local 436
15. Case 2012-ULP-11-0292 Cloverleaf Education Association v. Cloverleaf Local School District Board of Education
16. Case 2012-ULP-11-0293 International Association of Firefighters Local 3331 v. City of Perrysburg
17. Case 2012-ULP-12-0308 International Brotherhood of Teamsters Local Union 436 v. Cleveland Metropolitan School District Board of Education
18. Case 2012-ULP-12-0329 Adrian Scott Brown v. Cincinnati Public School District Board of Education

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19. Case 2013-ULP-01-0018 International Brotherhood of Teamsters Local 436 v. Cuyahoga County-Department of Public Works- Sanitary Division
20. Case 2012-ULP-05-0108 Canton Professional Firefighters' Association, Local 249 v. City of Canton
21. Case 2013-ULP-01-0014 Amalgamated Transit Union, Local 1385 v. Greater Dayton Regional Transit Authority

Board Member Brundige moved that the Board construe the requests to withdraw as motions to withdraw, and grant the motions with prejudice. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

**VI. TABLED AND OTHER MATTERS:**

There are no tabled matters.

**VII. ADMINISTRATIVE MATTERS:**

**SERB REGULAR SCHEDULED MEETING DATES:**

- Reminder of the next regular scheduled meeting dates of the State Employment Relations Board:
  - **March 14, 2013**
  - **April 04, 2013**
  - **April 25, 2013**
  - **May 16, 2013**
  - **June 06, 2013**
  - **June 27, 2013**
  - **July 25, 2013**
  - **August 15, 2013**
  - **September 12, 2013**

**SYSTEM UPDATES:**

- **Employee Organization (E.O.) Annual Reporting Requirements update:** 14 notices were sent for fiscal year ending 10-31-2012. There are only three employee organizations that have not filed. They are not due to our office until March 15, 2013 and will not be 31 days past due until April 16, 2013.

Kent Education Association was the only outstanding E.O. that was due on December 15, 2012. They requested an extension (their financials were at the accountant's office) which was granted until March 01, 2013 and which coincided with an extension granted by the IRS. We were notified on Wednesday, 2/20/13 that their accountant completed the 2011-2012 tax returns on Tuesday. They will be mailing them to SERB today. The formula is 5 months + 15 days beyond the fiscal year end for reporting. If required reports are not timely filed, it is at that juncture that a 31 day notice of past due will be sent. **Currently, and considering we are expecting the filing of the Kent Education Association, no employee organizations are considered to be non-compliant.**

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- **Vacancy in Clerk's Office:** Nine (9) candidates were interviewed. Following a second interview with the top scoring candidate, the candidate was offered the position, accepted and began work on Monday, 02/11/13. Regretfully, the hire did not work out and the employment relationship concluded on Friday of the first week. The next top 3 candidates have been contacted for continuing interest in the position and 2<sup>nd</sup> interviews have been scheduled with 2 out of the 3 at this point.
- **Operation Feed Campaign:** Judy Knapp has informed us the campaign will begin March 11<sup>th</sup>. Thank you to Judy for volunteering to help us out!

**FORWARD LOOK FOR FUTURE TRAINING:**

- **Upcoming conferences** - A second Serb Academy is scheduled for March 7 and 8, 2013. At this juncture there are 100 registrations.
- Still on the planning cycle is a SPBR Academy proposed for the spring 2013.

**VII. EXECUTIVE SESSION:**

Chair Zimpher moved that the Board go into executive session, pursuant to Ohio Revised Code § 121.22(G)(3) to confer with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action. Board Member Brundige seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

The Board went into Executive Session at 10:29 a.m.

Board Member Brundige moved that the Board exit from Executive Session. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: BRUNDIGE: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

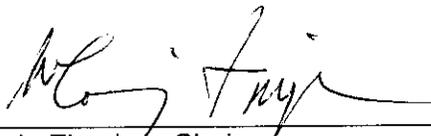
The Board exited from Executive Session at 10:43 a.m.

**IX. ADJOURNMENT:**

Chair Zimpher moved that the Board adjourn the meeting. Board Member Brundige seconded the motion. Chair Zimpher called for the vote.

Vote: BRUNDIGE: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

The Board meeting adjourned at 10:43 a.m.

/s/   
W. Craig Zimpher, Chair