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(5)

STATE OF OHIO
STATE EMPLOYMENT RELATIONS BOARD

In the Matter of

Northern Ohio Patrolmen's
Benevolent Association (NOPBA),

Petitioner,

and

Seneca County Sheriff,

Respondent.

Case No. 84-VR-04-0038
84-RC-04-0242

DIRECTION OF ELECTION
PURSUANT TO CONSENT
AGREEMENT

Before Chairman Day, Vice-Chairman Sheehan and Board Member Fix; September 26, 1984.

Pursuant to the provisions of Sections 4117.07(B) and (C) of the Revised Code and Chapter 4117-5 of the Administrative Code, the Board hereby approves the consent agreement entered into by the parties and directs that a representation election be conducted in accordance with the terms of the consent agreement.

In accordance with Rule 4117-5-07(A) of the Administrative Code, no later than October 3, 1984, the Respondent shall serve upon the Petitioner and file with the Board an alphabetized election eligibility list containing the names and home addresses of all employees eligible to vote as of September 26, 1984.

DAY, CHAIRMAN:

A few words of clarification are in order to explain the disposition of this case.

The job classifications to be included in the unit are: "Deputies, Transportation Officers and Dispatchers".

This conclusion is warranted in this specific case because all employees in these job classifications are full-time Deputy Sheriffs appointed under Ohio Revised Code Section 311.04 and are sworn "Members of a Police Department" as defined in Ohio Revised Code Section 4117.01(M). Moreover, all these employees do police work such as transporting prisoners to court appearances and other facilities, answering and recording incoming calls and investigating crimes.

"However, the decision must not be construed as a precedent for the same action in every case. A different context may warrant, even demand, a different result." In the Matter of FOP, Ohio Labor Council and City of Reading, SERB Case Nos. 84-VR-04-0161 and 84-VR-04-0162 (1984).

The election shall be held on October 18, 1984.

It is so directed.

DAY, Chairman; SHEEHAN, Vice-Chairman; and FIX, Board Member, concur. 12