

STATE OF OHIO
STATE EMPLOYMENT RELATIONS BOARD

85-039

In the Matter of

American Federation of State, County and Municipal Employees/
Ohio Civil Service Employees Association,

Employee Organization,

and

Communications Workers of America; Council of Public Workers,
(CWA/CPW), AFL-CIO,

Employee Organization,

and

Ohio Skilled Craft, Maintenance and Allied Employees,

Employee Organization,

and

State of Ohio, Office of Collective Bargaining,

Employer.

CASE NUMBERS: 85-RC-04-3290
85-RC-04-3355

OPINION AND DENIAL OF MOTION

Before Chairman Day; Vice Chairman Sheehan; and Board Member, FIX,
August 28, 1985.

The Board has stated in recent directives that the mail ballot election in this and several other units of state employees will commence on August 30, 1985, with the mailing of secret ballots to voters pursuant to O.R.C. Section 4117.07, Sub. H.B. 309 (116th General Assembly), and Ohio Administrative Code Rules 4117-5-01 through 4117-5-12. The Communications Workers of America/Council of Public Workers (CWA/CPW) has filed a "Motion To Prohibit Disclosure Of Identity Of Eligible Voters Who Have Or Have Not Voted." The Ohio Skilled Craft, Maintenance and Allied Employees filed a responsive memorandum suggesting alternative procedures.

Motion is denied for the reasons stated.

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DENIAL OF MOTION
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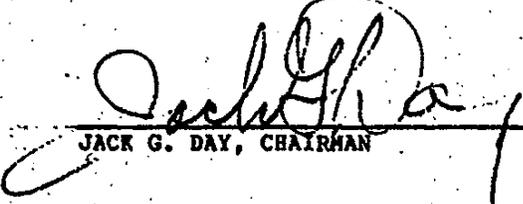
Day, Chairman:

SERB has not decided the issue which the motion attempts to reach. Therefore, the motion is denied because to grant it would impinge upon the discretion the Board deems granted by the statute. See O.R.C. 4117.02.

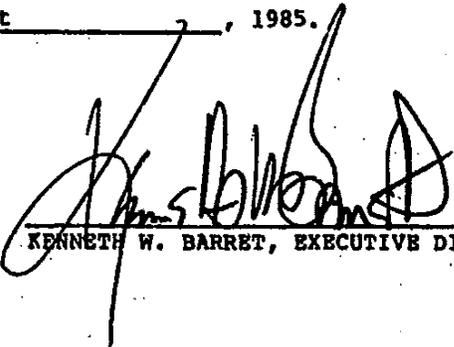
(H) "In addition to the powers and functions provided in other sections of Chapter 4117. of the Revised Code, the board shall:

(8)...Promulgate, amend, and rescind rules and procedures and exercise other powers appropriate to carry out Chapter 4117. of the Revised Code."
(Emphasis added.)

DAY, Chairman; Sheehan, Vice Chairman; and FIX, Board Member, concur.


JACK G. DAY, CHAIRMAN

I certify that this document was filed and a copy served upon each party
on this 28th day of August, 1985.


KENNETH W. BARRET, EXECUTIVE DIRECTOR

JD:sami/05260