

SIDE LETTER OF AGREEMENT

between

THE CITY OF NORTH CANTON

and

THE NORTH CANTON SERVICE

and

CLERICAL EMPLOYEES

(NCS&CE)

This Side Letter of Agreement ("Agreement") is made between the City of North Canton ("Employer") and the North Canton Service & Clerical Employees ("Union") to amend a certain provision of the current Collective Bargaining Agreement ("CBA"), which was executed on November 1, 2011, and is effective August 1, 2011 until July 31, 2014.

This Agreement is the result of negotiations between the parties, which began as a result of a reopening of the CBA for wages only. It is not intended to supersede any of the other terms and conditions of employment contained in the CBA unless specifically stated herein. Specifically, this Agreement is intended to supersede the applicable provisions contained in section 23.01 of the CBA. It shall be effective upon the date of its execution and shall remain in force for the duration of the CBA.

In consideration of the foregoing, the parties agree as follows:

Exhibit B
Call-Out List

It is the Employer's intent to utilize all labor, including Union and exempt personnel, to accomplish necessary tasks in the most efficient and expeditious manner. Therefore, when conditions warrant voluntary or mandatory overtime, which, during exigent circumstances and for snow removal crews only, may include exempt personnel, the Employer shall utilize a Union member call-out list according to the conditions and seniority levels described below:

Voluntary Overtime

- 1) Qualified Department employees must be called out for voluntary overtime on a Department Seniority basis.
- 2) Qualified non-Department employees who are members of the North Canton Service and Clerical Employees Bargaining Unit must be called out on a Bargaining Unit Seniority basis.
- 3) Qualified Non-Department employees who are members of the North Canton Drinking Water Plant Operators Bargaining Unit must be called out for voluntary overtime on a Bargaining Unit Seniority basis.

Mandatory Overtime (when necessary)

- 1) When the overtime is required in the Service and Clerical job classifications, qualified employees who are members of the North Canton Service and Clerical Bargaining Unit will be called out for mandatory overtime on a reverse bargaining unit seniority basis.
- 2) When the overtime is required in the Drinking Water Plant, qualified employees who are members of the North Canton Drinking Water Plant Operators Bargaining Unit will be called out for mandatory overtime on a reverse bargaining unit seniority basis.

Seniority Call-Out List:

Employer shall maintain and post a current Department Seniority and Bargaining Unit Call-Out List. The current list at the time of signing is attached below as a sample form.

Employer shall call each Union member, one time, in the order described herein. Employer shall make all reasonable efforts to contact each Union member, but is not responsible for missed-messages, non-functioning answering machines, full voice-mailboxes, or messages taken by those who answer the Union telephone. The Union member is solely responsible for ensuring that Employer is provided with the member's current telephone number.

DEPARTMENT SENIORITY LIST

Department	No.	Name	Department Date
DWP	1	Jesse Cottrell	January 4, 1993
DWP	2	Mark Leichtamer	May 10, 1999
DWP	3	Andrew Williams	March 13, 2000
DWP	4	Ann Reikowski	Sept. 18, 2000
DWP	5	Ted Schumacher	Feb. 24, 2003
DWP	6	Natividad Martinez	Sept. 25, 2011
DWP	7	Gary Neisel	Dec. 28, 2011
DWP	8	Scott Kelly	Mar. 25, 2013
Parks & Rec	1	William McKinney	March 10, 1986
Parks & Rec	2	John Minger	July 22, 1990
Parks & Rec	3	Robert Beadle	January 3, 2005
Sanitary	1	Matthew Shaw	July 9, 2001
Street	1	Matthew Morrow	April 29, 1998
Street	2	Anthony Brown	March 27, 2000
Street	3	Kathryn Boresh	January 10, 2005
Street	4	Michael Guth	Nov. 1, 2010
Street	5	Dan Richards	June 20, 2011
Water	1	Eugene Philippi	October 19, 1998
Water	2	Christine Barnes	Jan. 14, 2002
Water	3	Jay Swallie	Feb. 13, 2006
Water	4	James Whaley	January 1, 2009
Water	5	Gabriel Schwallie	May 23, 2010
Water	6	Brian Kehner	Nov. 1, 2010
Water	7	James Martin	Nov. 30, 2011

BARGAINING UNIT SENIORITY LIST (NON-DWP OPERATORS)

No.	Name	Current Department	Bargaining Unit Date
1	Jay Swallie	Water	April 18, 1982
2	Eugene Philippi	Water	Feb. 10, 1986
3	William McKinney	Parks & Rec	March 10, 1986
4	John Minger	Parks & Rec	July 22, 1990
5	Matthew Morrow	Street	April 29, 1998
6	Anthony Brown	Street	March 27, 2000
7	James Whaley	Water	July 17, 2000
8	Ann Reikowski	DWP	Sept. 18, 2000

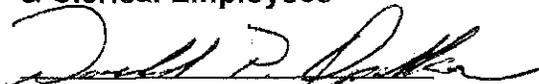
9	Dan Richards	Street	April 29, 2001	
10	Matthew Shaw	Sanitary	July 9, 2001	
11	Christine Barnes	Water	Jan. 14, 2002	
12	Robert Beadle	Parks & Rec	January 3, 2005	
13	Kathryn Boresh	Street	January 10, 2005	
14	Natividad Martinez	DWP	April 24, 2006	
15	Gabriel Schwallie	Water	May 23, 2010	
16	Michael Guth	Street	November 1, 2010	TIE
17	Brian Kehner	Water	November 1, 2010	
18	James Martin	Water	Nov. 30, 2011	

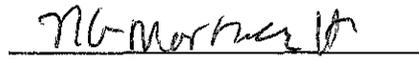
BARGAINING UNIT SENIORITY LIST (DWP OPERATORS)			
No.	Name	Current Department	Bargaining Unit Date
1	Jesse Cottrell	DWP	January 4, 1993
2	Mark Leichtamer	DWP	May 10, 1999
3	Andrew Williams	DWP	March 13, 2000
4	Ted Schumacher	DWP	Feb. 24, 2003
5	Gary Neisel	DWP	Dec. 28, 2011
6	Scott Kelly	DWP	Mar. 25, 2013

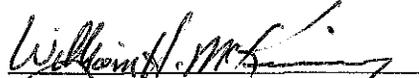
This Agreement may be executed in counterparts, each of which, when fully executed by all of the undersigned, shall be deemed an original, but all of which shall constitute one and the same Agreement.

Agreed to by the Parties this 28th day of May, 2013.

**For North Canton Service
& Clerical Employees**


Donald P. Opatka


Tad Martinez


Committee Member


Committee Member

For the City of North Canton


Honorable David J. Held, Mayor


Michael Grimes, Administrator


Timothy L. Fox, Esq. (as to form)

STATE OF OHIO
STATE EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF) CASE NO. 2013-MED-05-0745
NORTH CANTON SERVICE,)
AND CLERICAL EMPLOYEES,)
) Closing Case No. 2013-MED-05-0745
EMPLOYEE ORGANIZATION)
)
AND,)
)
CITY OF NORTH CANTON,)
)
EMPLOYER)

FILING OF COLLECTIVE BARGAINING AGREEMENT
(Addendum)

Pursuant to Ohio Administrative Code § 4117-09-07(C), the City of North Canton hereby submits a copy of an addendum to the collective bargaining agreement executed between the parties in the above-captioned case. (See attached).

Respectfully submitted,



Timothy L. Fox
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