

STATE OF OHIO
STATE EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF :	}	
	}	
FRATERNAL ORDER OF POLICE,	}	CASE NO.(S): 12-MED-01-0028
OHIO LABOR COUNCIL, INC.,	}	12-MED-01-0029
EMPLOYEE ORGANIZATION,	}	12-MED-01-0030
	}	12-MED-01-0031
and,	}	
	}	
CITY OF ASHTABULA,	}	
EMPLOYER.	}	

FILING OF COLLECTIVE BARGAINING AGREEMENT
(Addendum)

Pursuant to Board Rule 4117-09-07, the F.O.P. Ohio Labor Council Inc. hereby files a copy of an addendum and amendment to the Collective Bargaining Agreement executed between the parties in the above captioned case(s). (See attached).

Respectfully Submitted

Tara M. Crawford
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cc: Mr. James Timonere, jim@cityofashtabula.com

Memorandum of Understanding (MOU)

The City of Ashtabula and the Police Department along with the FOP/Ohio Labor Council (Union) have agreed to enter in this MOU and understand that the modifications to Overtime distribution shown below are to assist the City and PD, help supply adequate Dispatching to the citizens served by the City of Ashtabula. Additionally, this MOU and understandings stated below shall expire in force and affect February 1st, 2015.

All personnel working Dispatch shall be LEADS certified and adequately trained. Any part-time dispatchers fulfilling said requirements may fill fulltime dispatching overtime.

The attached overtime callout procedure shall be followed.

For the City/PD

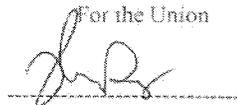
Date

For the Union

 8/15/14

City Solicitor Michael Franklin, as per form


City Manager James Timonere



Tom Perry FOP


Otto Holm FOP/OLCI

OVERTIME CALL-OUT PROCEDURE
August 2014

Every effort shall be made to fill all scheduled overtime a minimum of 2 weeks but not to exceed 3 weeks in advance of the date/time the overtime is to be worked.

Overtime hours worked shall be calculated for each employee. The employee with the lowest total number of overtime hours worked will be the first to be offered overtime. The employee with the second lowest number of hours will be offered the overtime second and so on to the employee with the highest number of hours worked being the last to be offered available overtime. In the event the overtime cannot be filled following this process the employee with the lowest number of hours, who is available or can be reached, shall be mandated to work the overtime.

Employees are exempt from working overtime if they are on their scheduled vacation day, vacation week (*Employees who use vacation or holiday vacation time or combination thereof shall be considered on vacation for the entire week ("vacation week") including their normal scheduled days off. For example, if an employee is scheduled off every day of the week except Wednesday and Thursday ("short week") but takes vacation and/or holiday vacation on Wednesday and Thursday the employee shall be considered on vacation for the entire week, Monday through Sunday, of that week, and shall be exempt from being ordered to work overtime). Employees may voluntarily elect to work overtime during their "vacation week". Employees may not elect to work overtime or extra-duty jobs when they are scheduled off for sick time or F.O.P union time.

Employees who elect to take personal holiday time for their entire scheduled work day are exempt from being mandated to work overtime only on those days for which they have taken their entire scheduled day off. An employee who chooses to use their personal holiday for Wednesday and Thursday on their "short week" shall not be exempt from being mandated for overtime on the remaining days of the week. Using 4 hour (for eight (8) hour employees) or 4- 8 hour (for twelve (12) hour employees) increments of personal holiday or overtime credit (OTC) does not exempt the employee from being mandated to work overtime during the hours the employee is not actually off work. Eight (8) hour employees using 8 consecutive hours of personal holiday or OTC and twelve (12) hour employees using 12 consecutive hours of personal holiday or OTC as time-off for their entire scheduled work day shall be exempt from being mandated to work overtime for the entire work day for which they have scheduled their time-off.

Division Commanders, Operations, General Services and Special Services, shall be exempt from being mandated to work overtime outside their respective assignments except otherwise directed by the Chief of Police. Division Commanders may elect to work overtime and shall be made aware of available overtime via the normal call-out procedure for all employees.

Employees who have paid reservations shall be exempt from being ordered to work mandated overtime. Whether or not reservations will be accepted for exemption from mandated overtime shall be at the discretion of the Chief of Police or his designee. For paid reservations to be honored they must be

submitted to the Operations Commander no less than 30 days prior to the event(s) for which the reservations were made and verification that the employee attended the event(s) shall be provided upon the request of the Chief of Police or his designee. Reservations made less than 30 days prior to the event may be considered for exemption from mandated overtime. This will be at the discretion of the Chief of Police or his designee. Some examples of paid reservations may include out-of-town hotel reservations, concerts, sporting events and other one-time events such as these. Paid reservations shall not include events that would normally be considered a year-round pass or tickets that can be used virtually at any time or over a reasonable period of time, such as Splash Lagoon, Cedar Point, local eating establishments or things of this nature. Any questions as to whether or not a specific reservation shall be accepted for exemption from mandated overtime shall be forwarded to the Operations Commander in advance of the required 30 days prior notice of the event/reservations in question.

Employees from the specific classification for which the vacancy/overtime was created shall first be offered the overtime to fill the vacancy. If no employee elects to work the overtime the employee with the lowest calculated hours of worked overtime within the classification of the vacancy shall be mandated to work the overtime. In the event no employee within that classification is eligible or available to work the overtime the call-out to fill the vacancy shall be opened to employees of other classifications who are qualified/eligible to work within the classification for which the vacancy exists. Qualified/eligible employees may ultimately be mandated to work vacancies outside their classification in the event no other options are available. For example, Patrol Officers may be mandated to work Dispatcher or Lieutenant/OIC vacancies. However, Dispatchers shall not be qualified/eligible to work patrol duties. At times employees within a classification may have already worked the maximum number of hours allowable by City Policy and/or State law. In these instances the call-out to fill the vacancy shall move on to the next eligible, available employee following the aforementioned guidelines.

Minor adjustments to this procedure may be required as unforeseen situations may arise. These matters will be discussed with the labor management committee prior to any changes or adjustments being made.

***The following section of the call-out procedure pertains specifically to the Memorandum of Understanding (MOU) entered into between the Union (F.O.P 26) and the City of Ashtabula. This MOU shall be in effect from the date this procedure is posted through to 0001 hrs on February 1st 2015. (See Attached MOU).**

All personnel working dispatching duties shall be LEADS qualified and adequately trained to perform the duties of a full-time Dispatcher. Any part-time Dispatchers fulfilling said requirements may fill full-time dispatching overtime. Whether or not a part-time employee is qualified/eligible to work full-time dispatching duties shall be at the discretion of the Chief of Police or his designee. The call-out procedure for dispatching overtime shall be based upon seniority which shall be determined by their date of hire with the City of Ashtabula Police Department. The employee with the earliest date of hire shall have the most departmental seniority on through to the employee with the latest date of hire having the least

departmental seniority. Part-time Dispatchers are unable to accumulate overtime hours and as such are unable to calculate overtime hours for call-out purposes. The most senior part-time Dispatcher shall be offered the overtime first, the second most senior part-time Dispatcher second, and so on through to the least senior part-time Dispatcher being offered available overtime last.

Part-time Dispatchers shall be the first to be offered available dispatching overtime. If no part-time Dispatcher elects to take the available overtime the least senior available Dispatcher shall be mandated to work the overtime. There are restrictions as to how many hours per week a part-time employee may work, specifically not to exceed 28 hours per week, which shall be taken into consideration when determining which part-time Dispatchers are available to work the overtime. Any part-time Dispatcher who is working overtime created by the vacancy of a full-time employee shall be compensated at their standard hourly rate of pay. There may be instances when mandated overtime may interfere with part-time Dispatcher's outside employment. These matters will be discussed on a case-by-case basis and an effort to resolve these matters will be made to avoid scheduling conflicts.

In the event that no part-time Dispatchers are available to work dispatch overtime the call-out will then move on to qualified Patrol Officers and the normal call-out procedure for full-time employees shall commence.



Chief Robert D. Stell
Ashtabula Police Department