

BU-11

2015 MUTUALLY AGREED DISPUTE RESOLUTION PROCEDURE

K 28455

BY AND BETWEEN

0778-11

THE STATE OF OHIO
AND
SEIU/DISTRICT 1199

12-MED-04-0421

It is hereby mutually agreed by and between the State of Ohio, Office of Collective Bargaining (OCB), and the Service Employees International Union, District 1199 (SEIU/1199) that the parties will use the following procedures to resolve disputed issues arising during the parties' negotiation of a successor to the collective bargaining agreement which expires on May 31, 2015, which was extended by written mutual agreement of the parties until June 30, 2015. After June 30, 2015, the parties agree that the terms of the collective bargaining agreement shall remain in full force and effect until the parties enter into a successor agreement or reach ultimate impasse. The procedures set forth in this agreement are in lieu of the procedures set forth in ORC section 4117.14{C}:

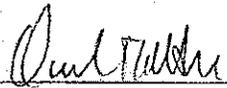
1. In the event the parties do not reach a tentative agreement on all issues by a mutually agreed upon date; the parties will mutually agree upon a person or persons to function as Mediator and/or Fact Finder for the process of resolving remaining disputes. In the event the parties are unable to reach mutual agreement on a Mediator and/or Fact Finder, they shall request a list from the State Employment Relations Board (SERB). If the parties cannot mutually agree, the selection of the mediator and/or fact finder shall be made pursuant to SERB rules.
2. Mediation of unresolved disputes shall begin on a date mutually agreed to by the parties, and shall continue at such times and places as the parties may agree or the Mediator may direct.
3. If the parties have not resolved all issues by a mutually agreed upon date, each party shall submit to the Fact Finder a written statement defining all unresolved issues and that party's respective position with respect to the resolution of each unresolved issue. Such statements shall be delivered to the Fact Finder and Chief Spokesperson for the other party no later than 5:00 p.m. the day prior to the scheduled hearing, unless otherwise mutually agreed to.
4. At the request of either party, but not later than a mutually agreed upon date, the Fact Finder shall conduct an evidentiary hearing at which the parties may present testimonial and documentary evidence concerning all unresolved issues. The hearing shall be conducted pursuant to SERB rules.
5. The parties mutually propose that no later than fourteen (14) days following the close of the hearing, the Fact Finder shall issue a written report recommending a basis for the resolution of each issue in dispute, pursuant to the provisions of SERB rules and ORC Section 4117.14. However, in the event the selected Fact Finder is unable to meet the deadline, it will be adjusted accordingly.

6. The parties shall have thirty (30) calendar days following the receipt of the Fact Finder's written recommendations to reject the recommendations and all other tentative agreements reached during the course of negotiations, pursuant to ORC Section 4117.14{C}(6).
7. If neither party rejects the recommendations of the Fact Finder, the recommendations and all other tentative agreements shall be deemed agreed upon. The Office of Collective Bargaining shall prepare final draft(s) of the complete agreement and submit it to the respective chief spokesperson for their review and approval.

FOR SEIU/DISTRICT 1199

FOR THE STATE OF OHIO

 8/3/15
Joshua Norris Date
Chief Spokesperson

 8/3/15
Daniel Guttman Date
Chief Spokesperson

BU-12

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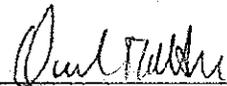
1. In the event the parties do not reach a tentative agreement on all issues by a mutually agreed upon date; the parties will mutually agree upon a person or persons to function as Mediator and/or Fact Finder for the process of resolving remaining disputes. In the event the parties are unable to reach mutual agreement on a Mediator and/or Fact Finder, they shall request a list from the State Employment Relations Board (SERB). If the parties cannot mutually agree, the selection of the mediator and/or fact finder shall be made pursuant to SERB rules.
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FOR SEIU/DISTRICT 1199

FOR THE STATE OF OHIO


Joshua Norris 8/3/15
Chief Spokesperson Date


Daniel Guttman 8/3/15
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