

STATE EMPLOYMENT  
RELATIONS BOARD  
IN THE MATTER OF FACT-FINDING PROCEEDING

BETWEEN

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Portage County Treasurer

and

Teamsters Local Union No. 436

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Case No: 00-MED-09-0979

Hearing Date: April 30, 2001

Findings and Recommendations:  
June 6, 2001

Representing the County:

Ronald J. Habowski, Esquire  
Attorney

Representing the Union:

Basil W. Mangano, Esquire  
Attorney

William J. Miller, Jr.  
Fact Finder

## SUBMISSION

This matter concerns fact-finding proceedings between the Portage County Treasurer (hereafter referred to as the "Employer") and Teamsters Local Union No. 436 (hereafter referred to as the "Union"). The parties duly appointed William J. Miller, Jr., as Fact Finder in this matter. The parties agreed to extend the submission of this report until June 6, 2001.

The Fact Finding proceedings were conducted pursuant to the Ohio Collective Bargaining Law, and the rules and regulations of the State Employment Relations Board, as amended. Consideration was given to criteria listed in Rule 4117-9-05 (J) of the State Employment Relations Board. The Employer and the Union previously engaged in the collective bargaining process before the appointment of a Fact Finder. This Fact Finder had several discussions with the parties prior to April 30, 2001 and on April 30, 2001 attempted to mediate the unresolved issue considered at the Fact Finding hearing on April 30, 2001. The parties declined mediation and the unresolved issue was wages.

### POSITIONS OF THE PARTIES

During the course of the fact finding, the parties provided extensive documentation and argument regarding their respective positions. At the outset of the presentations, the parties agreed that there was not an ability to pay issue presented in this situation. At issue was the proposed increases to be provided to the seven employees in the County Treasurer's Office including the positions of Tax Information Officer, Delinquent Tax Litigation Officer, Delinquent Collection Officer, Cashier I, Cashier II, Accounts Coordination and Investment Coordinator.

The position of the Union was that the employees included in this bargaining unit were far behind other similarly situated employees within the County, as well as other employees in other Counties who work in the Treasurer's Office and perform duties and functions which are the same as employees in this specific bargaining unit. To support its position, the Union submitted extensive documentation, which in its view, clearly showed that the employees in this bargaining unit were not being compensated appropriately. It was the further position of the Union that the employees in this bargaining unit were entitled to wage increases which would provide the usual wage increases negotiated by other bargaining units within the County, but also should include an equity increase on a one time basis, during the life of the Agreement. The Union justifies its position in this regard because of the long service of the affected employees and the fact that in the Union's view, the wages of such employees are well below other similarly situated employees.

It was the position for the Employer that the wage increases it has proposed are fair, equitable and in accordance with other wage increases provided to other employees within the County. The Employer also submitted extensive documentation and provided numerous arguments in support of this position that the wage increases it has proposed

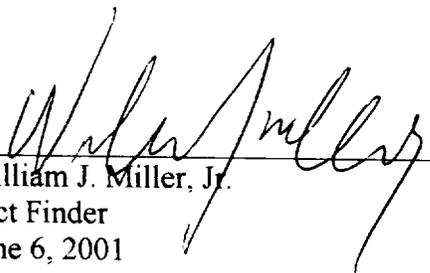
are fair and equitable. Specifically, the Employer provided specific analysis and documentation in support of its position, and also argued that the increases being proposed by the Union were excessive and beyond what is necessary in this circumstance. The employer also submitted evidence from a number of different counties, related to the earnings of Treasurer employees, and it submits that when making the appropriate comparisons that its position be accepted.

### RECOMMENDATION

I have carefully reviewed and considered all of the testimony and extensive documentation submitted by the parties. Upon reviewing such testimony and documentation, it becomes evident that it is difficult to make exact comparisons between the positions in the Treasurer's office and other positions in other Treasurer's offices that have been cited by the parties. This is due to the fact that the specific job duties and responsibilities of the various positions are not identical, but do in fact have certain similarities. What does become evident, however, is that the specific positions that work in the Treasurer's office are lower paid than a number of similarly situated positions. Furthermore, it is my considered opinion that when all of the comparables are carefully reviewed, it becomes apparent that an equity increase would be in order. While I recognize that the increase being proposed by the Employer is not unreasonable, it is my opinion that in this specific case, based upon the unique circumstances that exist that it would be appropriate to implement the proposal of the Union. Consequently, I would recommend that the proposal of the Union be accepted in this instance.

### CONCLUSION

In conclusion, the Fact-Finder submits his findings and recommendations as set forth herein.

  
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William J. Miller, Jr.  
Fact Finder  
June 6, 2001