

The Fact-Finding involves the Columbiana County Board of Commissioners. (hereafter referred to as the "Employer") and the Glass, Molders, Pottery, Plastics & Allied Workers International Union, (hereafter referred to as the "Union") The Union bargaining unit is comprised of five (5) employees. Three (3) employees work for the Commissioners, one as an assistant clerk, one as a boiler operator, and one in general maintenance. Two (2) employees work as clerk/accounting clerks in the Engineering Department. The bargaining unit comprised is in accordance with SERB rules. The State Employment Relations Board duly appointed Marc A. Winters as Fact-Finder in this matter.

The Fact-Finding Hearing was conducted on Tuesday, May 13, 2003 in the Board of Commissioners conference room. The Fact-Finding Hearing began at 10:08 A. M. and was adjourned at 10:58 A. M. Based on the outstanding issues, the position of the parties and in the opinion the Fact-Finder mediation was not offered at this Hearing.

The Fact-Finder would like to convey his appreciation not only for the courtesy and cooperation given to the Fact-Finder by both parties, but to each other as well.

The Hearing was conducted in accordance with the Ohio Public Employee Bargaining Statute, set forth in rule 4117. Rule 4117-9-05 sets forth the criteria the Fact-Finder is to consider in making recommendations. The criteria are:

1. Past collectively bargained agreements, if any.
2. Comparisons of the unresolved issues relative to the employees doing comparable work, given consideration to factors peculiar to the are and the classification involved.
3. The interest and welfare of the public, and the ability of the public employer to finance and administer the issue proposed and the effect of the adjustments on the normal standards of public service.
4. The lawful authority of the public employer.
5. Any stipulations of the parties.
6. Such other factors, not confined to those listed above which are normally or traditionally taken into consideration in determination of the issues submitted to mutually agreed-upon dispute settlement procedures in the public service or private employment.

The following issues were considered at the Fact-Finding Hearing on May 13, 2003:

1. Paid Lunch Period.
2. Wages.
3. Longevity Pay.

Given the fact that not much dialogue had taken place during the Fact-Finding Hearing, which lasted maybe forty-five (45) minutes, other than the parties got right to the point, the Fact-Finder's discussion section will also be brief and to the point.

ISSUE Article 22, Hours of Work and Overtime

Employer's Position: The Employer proposes to reduce the paid lunch period from one (1) hour to thirty (30) minutes.

Union's Position: Status Quo.

Discussion: The Commissioners, based on public complaints, and in order to have levies and taxes passed, needed to improve their position in two areas, health insurance costs and the one hour paid lunch period. The Commissioners want to lead the way with their five employees reducing their paid lunch by one half hour even though other County employee negotiations have concluded without the lunch period being reduced.

The Union agreed with the Commissioners on health care and gave the Commissioners significant cost saving measures. The Union feels that the one hour paid lunch period is a benefit enjoyed by their five members and is the same benefit that all other County employees currently have.

Finding of Fact: In this negotiations the Union has given considerable concessions in the health care area where the deductibles, the out of pocket maximums and certain co-pays have more than doubled. Looking at the health care concession and taken into consideration that other County Bargaining Units still have the one hour paid lunch period, I find that the Union's position of status quo to be reasonable.

Suggested Language: Current Language.

ISSUE: Article 33, Wages

Union's Position: The Union seeks a general pay increase of five percent (5%) effective May 1, 2003, four percent (4%) effective may 1, 2004 and four and one half percent (4-1/2%) effective May 1, 2005.

Employer's Position: The Employer proposes three percent (3%) for each year of the three year contract.

Discussion: The Union increased their wage proposal for Fact-Finding. Previous they were asking for three percent (3%) the first year and three and one-half percent (3-1/2%) for the second and third years. The Union justifies their proposal base on the concessions given in health care.

The Commissioners base their proposal on the other bargaining units and their ability to pay.

Finding of Fact: Upon careful consideration of all the facts, evidence and documentation submitted by the parties it is this Fact-Finders recommendation that the wages for a three year contract be as follows:

Effective May 1, 2003, a three percent (3%) general wage increase.

Effective May 1, 2004, a three percent (3%) general wage increase.

Effective May 1, 2005, a three percent (3%) general wage increase.

ISSUE: New Section under Article 33, Wages, Longevity Pay

Union's Position: The Union proposes to add longevity pay for their members.

Employer's Position: The Employer rejects the Union's Proposal.

Discussion: The Union ask for longevity pay based on other County Departments, the Recorder's office and the Clerk of Court's office, having such a benefit..

The Employer rejects the Union's proposal a double payment for their respective work and considering the wages already paid.

Finding of Fact: Based on the evidence presented and the discussion that took place, I find that the Union did not prove that the lack of having longevity pay had an adverse affect on its bargaining unit members in relationship to the wages paid. Therefore the Employer's position is sustained.



Marc A. Winters, Fact-Finder