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**IN THE MATTER OF FACT-FINDING  
BETWEEN**

<b>CITY OF BEDFORD HEIGHTS</b>	)	<b>CASE NO. 03-MED-09-0955</b>
	)	
<b>AND</b>	)	<b><u>FINDINGS</u></b>
	)	<b>AND</b>
<b>FRATERNAL ORDER OF POLICE</b>	)	<b><u>RECOMMEDATIONS</u></b>
<b>LODGE 67</b>	)	

**JAMES M. MANCINI, FACT-FINDER**

**APPEARANCES:**

**FOR THE UNION**

**Robert M. Phillips, Esq.**

**FOR THE CITY**

**Marc J. Bloch, Esq.  
Katharine Lang Bettasso, Esq.**

## SUBMISSION

This matter concerns fact-finding proceedings between the City of Bedford Heights and the Fraternal Order of Police, Lodge 67. The State Employment Relations Board (SERB) duly appointed the undersigned as fact-finder in this matter. The fact-finding proceedings were conducted on March 9 and June 3, 2004.

The fact-finding proceedings were conducted pursuant to the Ohio Collective Bargaining Law as well as the rules and regulations of SERB. During the fact-finding proceedings, this fact-finder attempted mediation of the issues at impasse. The issues remaining at impasse which have been submitted for this fact-finder's consideration are more fully set forth in this report.

The bargaining unit in this matter consists of all fulltime sworn patrolmen. There are approximately thirty-two fulltime officers in the unit.

Following the conclusion of the hearing held in this matter, the parties reached tentative agreement on all of the outstanding issues presented to fact-finding. The parties, however, opted to have this fact-finder issue recommendations reflecting the tentative settlement reached. They also agreed that this fact-finder could issue his recommendations in summary fashion. Therefore, the following recommendations are submitted in accordance with that understanding.

**1. WAGES**

A three and one-half percent (3.5%) increase in wages retroactive to January 1, 2004.

**2. HOSPITALIZATION**

Increase employee co-pays to ten dollars (\$10.00) per pay period effective on the first day of the month following ratification of the Agreement.

**3. PROFICIENCY ALLOWANCE**

Increase proficiency allowance set forth under Article XXV to an annual six hundred dollar (\$600.00) allowance.

**4. SHIFT PREMIUM**

No new provision.

**5. UNIFORM ALLOWANCE**

To be increased by an additional seventy-five dollars (\$75.00).

**6. RESIDENCY**

No change in Residency Provision.

## **7. COURT TIME**

No change, current language.

## **8. HOLIDAYS**

Add to Article IX, Section 5, Holidays, as follows:

Employees shall be entitled to priority holiday picks for six (6) of their twelve (12) paid holidays per calendar year. Priority picks shall be made in order of request and must be exercised at least thirty (30) days prior to the requested date. The City will guarantee one (1) priority pick per shift per day. Additional priority picks may be exercised upon approval of the Chief of Police. No priority picks may be made on any city, state or federal holidays. No priority picks may be made for the time period of 12/13/04 to 12/31/04. Before offering overtime as a result of any priority holiday pick, the City reserves the right to cover staffing by offering shift changes to employees on a voluntary basis or the same may be covered by an officer assigned to a swing shift assignment.

## **9. ME TOO**

Include the following Me Too language:

However, should any other safety force bargaining unit (i.e. Fire or Police Lieutenants and Sergeants) receive wage increases and/or other economic enhancements for calendar year 2004, the City shall be obligated to re-open negotiations with the FOP solely on those enhanced issues.

## **10. DURATION**

A one (1) year Agreement with an expiration date of December 31, 2004.

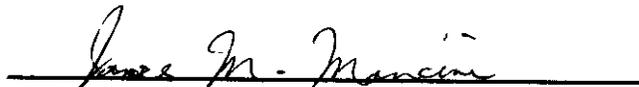
Also, a Side Letter Agreement regarding 2005, 2006 and 2007 negotiations which is to read as follows:

The City agrees that the FOP may open negotiations following approval of the 2004 one-year agreement for a three-year contract for 2005, 2006 and 2007.

## CONCLUSION

In conclusion, this fact-finder hereby submits the above referred to recommendations on the outstanding issues presented to him for his consideration. Further, this fact-finder incorporates herein all tentative agreements previously reached by the parties and recommends that those items also be included in the parties' final Agreement.

JULY 15, 2004

  
JAMES M. MANCINI, FACT-FINDER