STATE EMPLOYMENT
RELATIONS BOARD

2005 OCT -3 P 12: 07

STATE OF OHIO
STATE EMPLOYMENT RELATIONS BOARD

In The Matter of Fact-Finding
Between

Ohio Patrolmen's Benevolent – Union

Huron County Sheriff – Employee

Fact-finder – Dr. John Babel Jr.

SERB Case No(s). 05-MED-06-0709 05-MED-06-0710 05-MED-06-0711
05-MED-06-0712

Appearances

Ohio Patrolment's Benevolent

Justin D. Burnard
Allotta, Farley, & Widman, Co., LPA
2222 Centennial Road
Toledo, Ohio 43617

Huron County Sheriff

Richard P. Gortz
Gortz & Associates
24100 Chagrin Boulevard, Suite 260
Beachwood, Ohio 44122

Introduction

The fact-finder was contacted under the auspices of The Ohio State Employment Relations Board to assist in the negotiated procedures between Ohio Patrolmen's Benevolent (OPBA) and the Huron County Sheriff.

There are four bargaining units represented by the Ohio Patrolmen's Benevolent Association (OPBA). The bargaining units are Corrections Officers, Dispatchers, Road Command Officers and Road Patrol Officers. For the purposes of negotiations multi-unit bargaining was accepted by both parties. These four units represent approximately sixty employees.

The collective bargaining agreement expired on June 30, 2004. The parties began negotiations on March 30, 2004, meeting many times until May 26, 2004 in which impasse was reached. The parties agreed to push back the Fact Finding date to November 2004 to allow local elections to conclude including that of the employer, Sheriff Sutherland. Fact Finding occurred in November 2004 and the Fact-finder's report was not accepted by the Union members. Rather than proceed to Conciliation, the parties came to an agreement on all issues except wages and compensation and health insurance. The Employer and Union have agreed that the issue of health insurance will not be discussed at this Fact Finding as a committee made up of representatives of many unions including the OPBA is currently working with the County Commissioners on health insurance issues. The parties have agreed health insurance will be discussed in early 2006 if necessary. Therefore, the only issue at hand is wages and compensation.

The fact-finder was very impressed with the skill and ability of those in attendance at the hearing and compliments them on their professionalism, and the high regard they have for Huron County.

In reporting the conclusion of this hearing the fact-finder has given full consideration to all reliable information relevant to the issues and to all criteria specified in 4117.14(4) (e) and Rule 4117-9-05(a) past collectively bargained agreement between the parties: (b) comparison of the unresolved issues relative to the employees in the bargaining unit with those issues related to other public and private employees doing comparable work, giving considerations to factors peculiar to the area and classification involved: (c) the interest and welfare of the public, the ability of the public employer to finance and administer the issues proposed, and effect of the adjustment on the normal standard of public service; (d) the lawful authority of the public employer: (e) stipulations of the parties; (f) such other factors, not confined to those listed above, which are normally or traditionally taken into consideration in the determination of issues submitted to mutually agreed upon dispute settlement procedures in the public service or in private employment.

Hearing

Present at the hearing in addition to the representatives and the fact-finder were:

For OPBA
Lee E. Schnell – Corrections Corp.
Joe Demaria – Corrections Off.
Mike Cooksey – Patrol Sgt.

For Huron County Sheriff
Jeremy Iosue – Associate
Michael Adleman – County Commissioner

The hearing was held in the EMA conference room, Sheriff's Office, Shady Lane, Norwalk,Ohio.

Background

Both parties have been negotiating since the expiration of the contract on June 30, 2004 under a very difficult financial situation in Huron County. Although the union rejected the November 2004 fact-finders report which was accepted by Huron County Commissioners both parties continued to meet and agreed on all issues except wages and compensation and health insurance. There is considerable frustration on the part of the union members in that there has been a wage freeze since July 1, 2003. Although understanding the County's difficult financial situation it seems that the situation is getting better as indicated by increased sales tax collections in 2005, thus the request for a wage increase. The County Commissioners who must approve all negotiation agreements does understand the employees concerns and agrees with caution optimism that the financial situation is improving.

ISSUE – ARTICLE 24, WAGES AND COMPENSATION

UNION POSITION – COMMAND ROAD PATROL

Section 24.1 – No Change

Section 24.2. Wage rates for the bargaining units described below shall be based upon a percentage of the Captain rate of pay. Effective July 1, 2005, hourly wages for each bargaining unit employee shall be as set forth below:

Position	Pay-July 2005	Pay – 2006
Captain(100%)	$23.427	$24.130
Lieutenant(95%)	$22.256	$22.923
Sergeant(90%)	$21.084	$21.717
Patrol Corporal (87.5%)	$20.498	$21.113*
Patrol Off/Juv.Inv. (85%)	$19.912	$20.510*
Process Server (60%)	$14.137	$14.562*

*See below for yearly increase schedule.

Effective July 1, 2005, hourly wages for each bargaining unit employee shall be as set forth below:

Position	Start	After 1 Year	After 2 Years	After 3 Years	After 4 Years	After 5 Years
Patrol Officer Juv.Inv.	$16.370	$17.017	$17.699	$18.408	$19.145	$19.912
Process Server	$13.195	$13.658	$13.658	$14.137	$14.137	$14.137
Patrol Corporal	$20.498					

Effective July 1, 2006, hourly wages for each bargaining unit employee shall be as set forth below.

Position	Start	After 1 Year	After 2 Years	After 3 Years	After 4 Years	After 5 Years
Patrol Officer Juv.Inv.	$16.861	$17.528	$18.230	$18.960	$19.720	$20.510

Position	Start	After 1 Year	After 2 Years	After 3 Years	After 4 Years	After 5 Years
Process Server	$13.591	$14.068	$14.068	$14.562	$14.562	$14.562
Patrol Corporal	$21.113					

24.3 – Delete
24.4 – Delete
24.5 – No Change
24.6 – No Change
24.7 – Delete
24.8 – No Change

UNION POSITION – CORRECTIONS DISPATCH

24.1 – No Change

Section 24.2. Wage rates for the bargaining units described below shall be based upon a percentage of the Correction Officer rate of pay. Effective July 1, 2005, hourly wages for each bargaining unit employee shall be as set forth below:

Position	Pay July 2005	Pay July 2006
Corrections Corporal (110%)	$18.257	$19.169*
Corrections Officer (100%)	$16.598	$17.427*
Jail Assistance Off.(93%)	$15.436	$16.207*
Dispatch (90%)	$14.938	$15.684*

*See below for yearly increase schedule.

Effective July 1, 2005, hourly wages for each bargaining unit employee shall be as set forth below:

Position	Start	After 1 Year	After 2 Years	After 3 Years	After 4 Years	After 5 Years
Corrections Corporal	$18.257					
Corrections Officer	$13.673	$14.214	$14.776	$15.360	$15.967	$16.598
Jail Asst. Officer	$14.509	$15.436				
Dispatcher	$14.042	$14.938				

Effective July 1, 2006, hourly wages for each bargaining unit employee shall be as set forth below.

Position	Start	After 1 Year	After 2 Years	After 3 Years	After 4 Years	After 5 Years
Corrections Corporal	$19.169					
Corrections Officer	$14.357	$14.924	$15.514	$16.127	$16.764	$17.427
Jail Asst. Officer	$15.234	$16.207				
Dispatcher	$14.742	$15.684				

24.3 – Delete
24.4 – Delete
24.5 – No Change
24.6 – No Change
24.7 – Delete
24.8 – No Change

UNION RATIONALE

Based on evidence to be provided at Fact Finding, comparables, the Employer's contract with other employees and the County's financial viability the Union believes the above wage increases are fair under the circumstances. The increases will allow employees to keep their current standard of living rather than moving backwards.

HURON COUNTY SHERIFF'S POSITION

Article 24, Wages

The Employer proposes that wages remain the same until January 1, 2006 at which time the parties would reopen on the issue.

SHERIFF'S RATIONALE

Due to the financial situation of Huron County, the Employer is unable to agree to the Union's proposed increase. With the exception of the County DJFS which has independent funding, no other employees in the County, union or non-union, will receive a wge increase in 2005. The Employer proposes to re-open negotiations on wages at the beginning of 2006, when it is better able to asses its financial situation for the year.

DISCUSSION

The union and County officials have negotiated in good faith during very difficult financial conditions. The union understands the situation but does see a slow but steady increase in funds that will provide opportunity for salary adjustments. The County Commissioner understands the employee's frustration and also has a caution optimism for improved financial situation, but wants to wait until January 2006 to insure increases in wages can be met.

FACT-FINDER'S RECOMMENDATION

Continue wage freeze until January 1, 2006, with re-opener on Article 24.

FACT-FINDER'S RATIONALE

The financial situation seems to be on a positive incline which will provide resources for wage adjustment but the County's position to wait three months seems reasonable with possible wage adjustments in 2006.

Respectfully submitted

John Babel Jr PhD
Fact-Finder
September 29, 2005

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CERTIFICATE OF SERVICE

I CERTIFY THAT I SERVED THE FOREGOING report of Fact-Finder upon each of the parties to this matter by express mail.

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Toledo, OH 43617

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A copy of this report mailed to SERB. 65 East State Street, Columbus, Ohio 43215-5213