

STATE EMPLOYMENT
RELATIONS BOARD

2007 FEB 16 P 12:42

STATE OF OHIO STATE EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF FACT-FINDING BETWEEN:

**OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (Union)
and
CITY OF FAIRLAWN (Employer)
CASE NO.: 2006-MED-09-1080**

FACT-FINDING REPORT OF THOMAS R. SKULINA, ESQUIRE

HEARING

A fact-finding Hearing was conducted at the City of Fairlawn Administration Building on January 11, 2007. The Union's advocate was Matthew B. Baker, Esquire. His witness was Dale E. Sharf, Patrolman. The City was represented by Kevin Campbell, Esquire. Also present was Law Director, Edward J. Rugler, Esquire. The City witness was Kenneth Walsh, Chief of Police.

ISSUES

There were two (2) issues taken to fact-finding. The first was for a wage increase and the second was for a \$1,000.00 annual stipend to reimburse officers who qualified to carry a fire arm off duty.

The parties agreed to a three (3) year contract beginning January 1, 2007.

THE BARGAINING UNIT

The Unit consists of seven part-time Patrolmen. These officers got over one thousand hours of work. Three were under three hundred hours and one got seven hundred fifty-three and one-half hours. (One became a full-time officer and one resigned).

All of the unit members have a primary job elsewhere. A lieutenant schedules their work so it coincides with their other work assignment.

KEY ISSUE

The part-time employees seek greater parity with the full-time officers. They seek that officers with four or more years of service be raised to the same level as a first year full-time officer, which is now \$20.62. This would require an increase of \$2.62 per hour, which equals a fourteen and one-half percent raise. The rest would get three percent each year and the four plus year employees would get three percent more the remaining two years of the contract.

The City offered one percent across the board.

Three unit members have trained and are eligible for employment as full-time officers depending on Civil Service rules, test, appointment and an opening in the future. One member, had on July 13, 2006, become full-time. It is from these part-timers that this City looks to get full-time police officers.

The City has over the years pursued a parity (1) between its fire fighters (full-time) and its police officers (full-time).

It also obtained a parity between the part-time workers, fire and police.

Testimony showed that part-time officers did not last as long as career police officers. They did not receive most of the fringe benefits since they were already employed at full-time positions.

The comparable studies show that a three percent raise is more appropriate than the one percent increase offered.

Hence, I shall recommend an increase of three percent per year. The fourteen and one-half percent increase has no comparable support. It is reasonable that parity now exists between the full-time fire and police and parity exists between the part-time fire and police.

ARTICLE 23 - WAGES

Section 23.1 Beginning January 1, 2007 and effective through December 31, 2009, the hourly rates for bargaining members are as follows:

	<u>2007</u>	<u>2008</u>	<u>2009</u>
0-4	\$18.03	\$18.57	\$19.13
4-+	\$18.54	\$19.10	\$19.67

The above rates shall apply on all shifts, approved training and court time.

Note, the raise is three percent per year for the 0-4 and the four plus. If the math is somehow off, the fact-finding is for 3% each year and the accountants can make the correct scale accordingly. The base rate was \$17.50 0-4 and \$18.00 4+. Each year each rate is to be raised three percent.

The remaining issue is whether a stipend should be paid to compensate police officers for carrying a weapon off duty.

There was no evidence that any other cities with part-time officers paid such a stipend.

It is a benefit that off duty officers are armed in case of some emergency. The part-timers do not have portable radios, and if needed, would be called to the station.

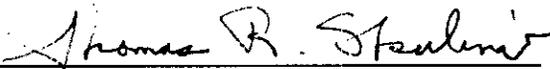
When employed elsewhere, there is a good chance they are not allowed to carry a weapon. It certainly was true in the case of the fire fighter (full-time) who works as a part time police officer.

I shall not recommend this stipend.

CONCLUSION

The evidence was clear that the part-time officers were trained and were an asset to the City. It is also true that the primary employer of each of them and the recipient of their first loyalty is someone other than the Police Department of Fairlawn City.

It is reasonable and good management for a city to have parity between its Fire and Police Departments. It took time, but was achieved. The same parity makes sense between each part-time unit. This has been achieved.



THOMAS R. SKULINA
Fact-Finder

DATE ISSUED: February 15, 2007

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February 15, 2007

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STATE EMPLOYMENT
RELATIONS BOARD

State Employment Relations Board
65 East State Street - 12th Floor
Columbus, Ohio 43215-4213

ATTN: EDWARD E. TURNER
ADMINISTRATOR, BUREAU OF MEDIATION ✓

RE: STATE EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF FACT-FINDING BETWEEN:

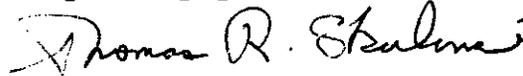
OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (Union)
and
CITY OF FAIRLAWN (Employer)
CASE NO.: 2006-MED-09-1080

Dear Mr. Turner:

Enclosed herein, please find the Fact-Finding Report in regard to the above-captioned matter.

I am sending my bill for services rendered to the parties, in reference to this matter.

Very truly yours,



Thomas R. Skulina
Fact-Finder

TRS/cad
Enclosure

cc: Matthew B. Baker, Esquire w/copy Enclosures
Kevin Campbell, Esquire w/copy Enclosures