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STATE EMPLOYMENT
RELATIONS BOARD

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PURSUANT TO O.R.C. 4117.14(C)
UNDER THE AUSPICES OF THE
STATE EMPLOYMENT RELATIONS BOARD

IN THE MATTER BETWEEN)	
)	
PERKINS TOWNSHIP)	
)	FACTFINDER'S REPORT
and)	
)	SERB CASE NOS.
PERKINS TOWNSHIP POLICE,)	07-MED-08-0767
FOP, OLC, INC.)	07-MED-08-0768
)	07-MED-08-0769

This Factfinding arises pursuant to Ohio Revised Code Section 4117.14(C). The Parties, PERKINS TOWNSHIP (“the Township”) and PERKINS TOWNSHIP POLICE, FOP, OLC, INC. (“the FOP”), selected Susan Grody Ruben to serve as sole, impartial Factfinder, whose Recommendations are issued below.

Hearing was held February 6, 2008 in Sandusky, Ohio. The Parties were afforded full opportunity for the presentation of positions and evidence. Pre-hearing submissions were received from both parties.

APPEARANCES:

for the Township:

**John A. Coppeler, Esq., Flynn, Py & Kruse Co.,
LPA, 165 E. Washington Row, Sandusky, OH
44870**

for the FOP:

**Dennis E. Sterling, Staff Representative,
Fraternal Order of Police/Ohio Labor Council,
Inc., 222 E. Town St., Columbus, OH 43215**

FACTFINDER'S RECOMMENDATIONS

Tentative Agreements

All articles tentatively agreed to by the Parties are hereby incorporated into this Report.

Statutory Criteria

In reaching Recommendations on the open issue, the Factfinder has reviewed the parties' submissions and the evidence and positions presented at the Factfinding Hearing. The Factfinder has analyzed this information in the context of the statutory criteria found in Ohio Revised Code Section 4117.14(G)(7):

- a) Past collectively bargained agreement[s] ... between the parties;**
- b) Comparison of the issue[s] submitted to final offer settlement relative to the employees in the bargaining unit involved with those issues related to other public and private employees doing comparable work, giving consideration to factors peculiar to the area and classification involved;**
- c) The interests and welfare of the public, the ability of the public employer to finance and administer the issues proposed, and the effect of the adjustments on the normal standard of public service;**
- d) The lawful authority of the public employer;**
- e) The stipulations of the parties; and**
- f) Such other factors, not confined to those listed ... which are normally or traditionally**

taken into consideration in the determination of the issues submitted to final offer settlement through voluntary collective bargaining, mediation, fact-finding, or other impasse resolution procedures in the public service or in private employment.

Bargaining Unit

The three bargaining units consist of all full-time Dispatchers, Patrol Officers, Sergeants and Lieutenants. There are approximately 25 members in these bargaining units.

Issues

There are 6 open issues:

- A. Article 24(1) – Wages**
- B. Article 24(4) – Court Time**
- C. Article 24(5) – Educational Benefits**
- D. Article 24(6) – Supervisor’s Pay**
- E. Article 24(8) – Shift Differential**
- F. Article 24(9) – Senior Dispatcher Pay**

A. Article 24(1) – Wages

Township's Proposal

The Township proposes: 1%/3%/3%.

The Township opposes the creation of additional pay grades, as well as a Senior Patrol Officer designation. There currently are 10 lieutenants and sergeants, and only 8 patrol officers, so the Township already pays a premium for a majority of its officers.

The Township also opposes the substantial wage increases that would occur under the FOP's proposal. The Township is severely impacted financially by a downturn in the local economy and cannot afford to grant wage increases of the magnitude demanded by the FOP. A general levy approved by voters in November 2007 will not generate any funds until 2009, and increases in fuel and other expenses will limit the funds available for salaries, particularly since the general levy supports other employee groups as well as the Police Department.

FOP's Proposal

The FOP proposes: variable according to step/3%/3%.

The FOP requests restructuring the wage scale to be more in line with the pay scale in effect in the neighboring jurisdiction of Sandusky, Ohio. Current wages have fallen significantly behind other township police departments of similar size, along with other municipal and county jurisdictions in the local area.

The proposal includes a Senior Patrol Officer, who has completed 10 years of service with the Department. There currently exists a Senior Dispatcher ranking that exists after 15 years of experience.

Even is the wage scale is accepted as proposed, the members will be caught up only to the average of other township police departments. The levy will bring significant income to the Township, starting in 2009.

Factfinder's Recommendation on Wages

The annual CPI-U for December 2007 rose 4.1%. That indicates the Township's 1% proposal for Year 1 is low. That said, the FOP's creation of steps would create an average raise of approximately 5%

in Year 1, which is high, given the poor state of the local economy.

Additionally, the FOP's proposal is unnecessarily complex.

Given that the levy money is not available until 2009, the

Factfinder recommends: 2% (retroactive to November 1, 2007) /3%/3%.

B. Article 24(4) – Court Time

Township's Proposal

The Township proposes status quo.

FOP's Proposal

The FOP proposes increasing court time overtime compensation from 2 hours to 3 hours, due to the disruption these appearances cause to off-duty officers.

Factfinder's Recommendation on Court Time

The necessity of an off-duty officer having to appear in court occurs infrequently. To more adequately reflect the time taken away from family, the Factfinder recommends 2.5 hours.

C. Article 24(5) – Educational Benefits

Township's Proposal

The Township proposes status quo.

FOP's Proposal

The FOP proposes giving credit to any Bachelor's degree from an accredited college, rather than just law-enforcement degrees. The significant commitment to attend and reach a Bachelor's degree adds to a member's proficiency in many aspects of the job. The basic courses required to obtain a Bachelor's degree do not significantly change from one course of study to another.

Factfinder's Recommendation on Educational Benefits

The Factfinder recommends status quo, but with the added provision that any member with a Bachelor's degree who did not major in law enforcement, but who has law enforcement credits equal to or greater than the credits required for an Associate's degree in law enforcement at Terra Community College (in any given contract year) shall receive the 4% wage premium currently granted to members with Associate's degrees in law enforcement.

D. Article 24(6) – Supervisor’s Pay

Township’s Proposal

The Township proposes status quo.

FOP’s Proposal

The FOP proposes adjusting the rate of pay for a Patrol Officer assigned in charge of a shift for 3 or more hours from half the difference between Class A Patrol Officer and Sergeant pay to 10% above their current rate of pay by using the new wage scale proposed. Should the Factfinder not accept the new wage proposal, the FOP requests status quo.

Factfinder’s Recommendation on Supervisor’s Pay

Given that the Factfinder is not recommending the new wage scale proposed by the FOP, the Factfinder recommends status quo.

E. Article 24(8) – Shift Differential

Township’s Proposal

The Township proposes increasing the shift premium for all hours other than first shift from \$0.30 to \$0.35 per hour.

FOP's Proposal

The FOP proposes increasing the shift premium for all hours other than first shift from \$0.30 to \$0.40 to help offset the inconvenience of non-preferred shifts that result in loss of family time.

Factfinder's Recommendation on Shift Differential

The Factfinder recommends an increase in shift premium for each full hour worked outside of first shift to be compensated at \$0.35 per hour.

F. Article 24(9) – Senior Dispatcher Pay

Township's Proposal

The Township proposes status quo.

FOP's Proposal

The FOP proposes changing the wage rate for Senior Dispatchers from Class B Patrol Officers rate to 20% below the new top sergeant rate. Should the Factfinder not incorporate the new wage scale into the Report, the FOP requests status quo.

Factfinder's Recommendation on Senior Dispatcher Pay

Given that the Factfinder is not recommending the new wage scale proposed by the FOP, the Factfinder recommends status quo.

DATED: February 29, 2008



Susan Grody Ruben, Esq.
Factfinder