



STATE EMPLOYMENT RELATIONS BOARD CASE #08-med-04-0583

STATE EMPLOYMENT
RELATIONS BOARD

IN THE MATTER OF FACTFINDING
BETWEEN

2009 FEB 26 P 1:13

HAMILTON TOWNSHIP PROFESSIONAL FIREFIGHTERS
INTERNATIONAL ASSOCIATION OF LOCAL 4055

UNION

AND

HAMILTON TOWNSHIP TRUSTEES
WARREN COUNTY, OHIO

EMPLOYER

BEFORE

M. JAMES ABERNATHY, FACTFINDER

APPEARANCES:

FOR UNION: JOHN P. GARDNER, PRESIDENT IAFF LOCAL 4055
ROYCE A. GOODPASTOR, NEGOTIATOR

FOR MANAGEMENT: WARREN J. RITCHIE, ATTORNEY AT LAW
MELISSA BROCK, HUMAN RESOURCES MANAGER
MARK GREATOREX, ACTING FIRE CHIEF
JACKIE TERWILLEGER, FISCAL OFFICER

DATE & PLACE OF HEARING: FEBRUARY 12, 2009 AT 9:30 AM
TOWNSHIP ADMINISTRATION BUILDING
7780 SOUTH STATE ROUTE 48, HAMILTON TOWNSHIP OHIO 45039

DATE OF REPORT: FEBRUARY 24, 2009

M. J ABERNATHY, FACTFINDER

APPLICABLE CONTRACT PROVISIONS

STATE EMPLOYMENT
RELATIONS BOARD

ARTICLES

2009 FEB 26 P 1:13

- 4 PERSONNEL FILES
- 9 PROBATIONARY EMPLOYEES
- 13 HOURS OF WORK
- 14 WAGES AND OTHER COMPENSATION
- 15 HOLIDAYS
- 17 SICK LEAVE
- 19 INSURANCE
- 20 PHYSICAL EXAMINATION AND TESTING
- 22 FUNERAL (BEREAVEMENT) LEAVE
- 24 UNIFORM ALLOWANCE
- 25 INJURY LEAVE
- 27 GENERAL PROVISIONS

ISSUES AT IMPASSE

ALL ARTICLES ABOVE

STATEMENT OF FACTS

HAMILTON TOWNSHIP IS LOCATED IN WARREN COUNTY, OHIO, NORTH OF CINCINNATI, OHIO. THE TOWNSHIP HAS A FIREFIGHTERS BARGAINING UNIT ORGANIZED UNDER THE IAFF LOCAL 4055. THERE ARE FOUR(4) CAPTAIN POSITIONS, ONE(1) OPEN LIEUTENANT POSITION, AND SEVEN(7) FIREFIGHTER PARAMEDIC POSITIONS.

THE PARTIES MET WITH MEDIATOR, JOHN GRAY ON AUGUST 7, 2008. THE OUTCOME OF THAT MEDIATION WAS THAT THERE WERE TWELVE ARTICLES OF THE COLLECTIVE BARGAINING AGREEMENT STILL AT IMPASSE.

AT THE FACTFINDING HEARING, THERE WAS MUCH DISCUSSION ON ALL THE ARTICLES AND ALSO MUCH GIVE AND TAKE. FOR EXAMPLE, WAGES ARE USUALLY THE STICKING POINT FOR MOST NEGOTIATIONS BUT IT WAS DISCOVERED AT THE HEARING THAT THERE WAS A LOT OF MISINTERPRETATION AND MISUNDERSTANDING FROM BOTH SIDES. AS THE HEARING PROGRESSED, THIS MISUNDERSTANDING EXTENDED TO OTHER ARTICLES AT IMPASSE. THIS WAS GOOD BECAUSE IT PERMITTED EACH SIDE TO PRESENT ITS POSITION FULLY. IN DOING SO THE PARTIES DISCOVERED THAT THEY WERE NOT FAR APART ON ANY OF THE ARTICLES AT IMPASSE.

THE FACTFINDER INCLUDES IN THIS REPORT A LETTER DATED FEBRUARY 17,2009 ATTESTING TO THE FACT THAT THE PARTIES HAVE REACHED FULL(100%) AGREEMENT ON ALL ARTICLES AT IMPASSE

BOTH PARTIES ARE TO BE COMMENDED FOR COMING TO THE HEARING PREPARED TO LISTEN TO THE OTHER SIDE AND TO GIVE AND TAKE THIS ATTITUDE WILL TAKE THEM FAR IN FUTURE NEGOTIATIONS.

A handwritten signature in cursive script that reads "M James Abernathy".

M.JAMES ABERNATHY,FACTFINDER



Original

February 17, 2009

Mr. James Abernathy
1119 Sunny Slope Drive
Cincinnati, Ohio 45229

**HAMILTON TOWNSHIP
ADMINISTRATION**
Eugene Duvelius – Trustee
Becky Ehling – Trustee
Michael Muñoz – Trustee
Jackie Terwilleger – Fiscal Officer

Re: Case No(s). 08-MED-04-0583
International Association of Fire Fighters, Local 4055 and
Hamilton Township Trustees

P.O. Box 699
7780 South State Route 48
Hamilton Township, Ohio 45039

Phone: (513) 683-8520
Fax: (513) 683-4325

Dear Mr. Abernathy:

As per your request at the Arbitration Hearing between the IAFF Local 4055 and Hamilton Township, Warren County, Ohio, on Thursday, February 12, 2009, this letter is being sent as notification of the articles and subsequent sections of discussion that have been mutually agreed upon.

Community Development
Gary Boeres – Director

- Article 4 Personnel Files
- Article 9 Probationary Employees
- Article 13 Hours of Work
- Article 14 Wages and Other Compensation
- Article 15 Holidays
- Article 17 Sick Leave
- Article 19 Insurance
- Article 20 Physical Examination and Testing
- Article 22 Funeral (Bereavement) Leave
- Article 24 Uniform Allowance
- Article 25 Injury Leave
- Article 27 General Provisions

Agreed ✓ RG
Agreed ✓ RG

Emergency Services
Mark Groatorex – Deputy Chief

Human Resources
Melissa Brock – Manager

Maintenance
Dave Philbin – Road Supervisor

As noted above, all twelve (12) articles and the subsequent sections within, have been successfully rectified between the IAFF Local 4055 and Hamilton Township, Warren, County, Ohio.

Park
Robert Weis – Park Supervisor

Each of us would again like to take this opportunity to thank you for your time and consideration in this matter.

Police Department
Frank Richardson – Police Chief

Should you have additional questions, please feel free to contact our Administrative Office at (513) 683-8520.

Purchasing
Ellen Horman – Agent

Sincerely,

Melissa Brock
Human Resources Manager

Mr. John P. Gardner
IAFF Local 4055 President