

2008 DEC 26 P 1: 22

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

CITY OF TOLEDO) **SERB CASE NO. 08-MED-10-1280**
)
)
AND)
) **REPORT AND RECOMMENDATION**
)
TOLEDO FIRE CHIEFS' ASSOCIATION)

JAMES M. MANCINI, FACT-FINDER

APPEARANCES:

FOR THE CITY

Donald Collins, Esq.

FOR THE UNION

**Gregory T. Lodge, Esq.
Gerald Abair**

BACKGROUND

The City of Toledo provides local governmental services to its residents. The Toledo Fire Chiefs' Association represents a bargaining unit consisting of three Deputy Chiefs, fifteen Battalion Chiefs, and an Administrative Assistant Secretary.

Labor relations between the parties extends back to 1984, and successive collective bargaining agreements have been entered into since 1985. The present collective bargaining agreement has an effective date of January 1, 2006 through December 31, 2008. The parties did not reach agreement on the terms of the present collective bargaining agreement until after fact-finding was conducted in January of this year. The final 2006-2008 agreement was approved and signed by the parties in April of 2008.

The parties have since had discussions for the purpose of negotiating a successor agreement. After they were unable to reach agreement, the undersigned was appointed fact-finder by the State Employment Relations Board on December 11, 2008.

Proposals have been submitted to the fact-finder and after consultation with the fact-finder, the parties have agreed that all provisions of the current (2006-2008) collective bargaining agreement will be adopted in the successor collective bargaining agreement, with changes as set forth herein to the following proposals only:

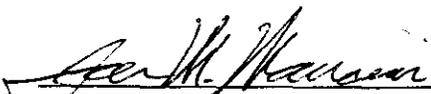
1. Section 2113.61 Hospitalization – Prescriptive Drug – Dental Insurance
2. Section 2113.63 Safety Equipment
3. Section 2113.70 Wage Rates
4. Section 2113.79 Termination

After consultation with the fact-finder, the parties have agreed that the following changes should be adopted for these sections in the successor collective bargaining agreement:

1. Subsection (C)(4) of Section 2113.61 (Hospitalization – Prescriptive Drug – Dental Insurance) shall be amended to provide for a 15% increase in the designated co-premium payment amounts in the year 2010, and by an additional 15% increase in the year 2011.
2. Section 2113.63 (Safety Equipment) shall be amended to provide for “one (1) department-issued sweatshirt per year” as an alternative to the two short-sleeve polo shirts provided in the third paragraph of that section.
3. Section 2113.70 (Wage Rates) shall be amended to delete the reference to “as of January 1, 2006” in the third paragraph. The existing wage spreads in §2113.70 shall remain in place and a new Appendix A (“Base Wage Chart”) shall be prepared on the basis of 2009-2011 wage rates after Local 92 reaches agreement with the City for a new collective bargaining agreement.
4. Section 2113.79 (Termination) shall be amended to reflect the new effective dates of the successor agreement (January 1, 2009 through December 31, 2011).

Upon consideration of the factors set forth in *Ohio Revised Code* §4117.14(C)(4)(e) and *Ohio Administrative Code* §4117-9-05(K), the fact-finder determines that the proposed resolution of this matter as set forth in this Report and Recommendation is both reasonable and fair to the parties and therefore recommends adoption.

These findings and recommendations issued this 22nd day of December, 2008.


James Mancini, Fact-Finder