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STATE EMPLOYMENT  
RELATIONS BOARD

2011 APR 27 A 11:50

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

|                                      |   |                            |
|--------------------------------------|---|----------------------------|
| <b>IN THE MATTER BETWEEN</b>         | ) |                            |
|                                      | ) |                            |
| <b>CORRECTIONS COMMISSION OF</b>     | ) |                            |
| <b>NORTHWEST OHIO</b>                | ) | <b>FACTFINDER'S REPORT</b> |
|                                      | ) |                            |
| <b>and</b>                           | ) | <b>SERB CASE NO.</b>       |
|                                      | ) | <b>10-MED-07-0861</b>      |
| <b>CCNO SUPERVISORS ASSOCIATION,</b> | ) |                            |
| <b>LOCAL 53 a/w INTERNATIONAL</b>    | ) |                            |
| <b>UNION OF POLICE ASSOCIATIONS</b>  | ) |                            |

**This Factfinding arises pursuant to Ohio Revised Code Section 4117.14(C). The Parties, Corrections Commission of Northwest Ohio ("CCNO") and CCNO Supervisors Association, Local 53 a/w International Union of Police Associations ("the Union"), selected Susan Grody Ruben to serve as sole, impartial Factfinder, whose Recommendations are issued below.**

**Hearing was held March 21, 2011 in Archbold, Ohio. The Parties were represented by counsel and were afforded full opportunity for the presentation of positions and evidence. Pre-hearing submissions were received from both Parties. It was agreed to by the Parties the Factfinder's Report would be issued April 25, 2011.**

**APPEARANCES:**

for the CCNO:

**Timothy C. McCarthy, Esq., Shumaker, Loop &  
Kendrick, LLP, 1000 Jackson, Toledo, OH 43604.**

for the Union:

**John M. Roca, Esq., Gallon, Takacs, Boissoneault  
& Schaffer Co., L.P.A., 3516 Granite Circle,  
Toledo, OH 43617.**

**FACTFINDER'S RECOMMENDATIONS**

**Statutory Criteria**

In reaching Recommendations on the open issues, the Factfinder has reviewed the parties' pre-hearing 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 agreements ... between the parties;**
- b) **Comparison of the issues 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**

**There is one bargaining unit consisting of all Corrections Supervisors at CCNO, approximately 18 individuals.**

### **Issue**

#### **1. ARTICLE 23, Wages**

##### **CCNO's Proposal**

**CCNO proposes a 0% increase in wages effective January 1, 2011.**

**This proposal is based on the following: the end of year budget carryover was only 2.8% which covers not even 2 payroll periods; there is no authority to have a levy or issue bonds; funding for capital purchases has fallen dramatically; long-term costs are being deferred to the extent possible; the 6 funding jurisdictions have high unemployment rates ranging from 10.8% to 12.8%; Toledo, which provides 37.62% of the operating budget, had a \$9.1M deficit at the end of 2009; Toledo is projecting a \$5-7M deficit for 2011; Lucas County's ½% sales tax increase expires in 2012; and Williams County Engineer laid off 5 employees in March 2011.**

### Union's Proposal

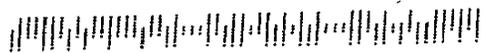
The Union proposes a 3.5% increase in wages effective January 1, 2011. This proposal is based on the following: the 1% raise effective January 1, 2010 was negated by an additional 2.5% employee payment for health insurance, so as a practical matter, there has been no raise since January 1, 2009; any increase will be shared by 6 jurisdictions; CCNO includes the large urban area of Toledo, whereas the other regional jails are located in and serve rural areas; Lucas County and Toledo contribute approximately 70% of the CCNO budget and CCNO's inmate cost per day is less than half of their jail; CCNO had \$3M in unencumbered cash at the end of 2009; there were 27 pay periods in 2010, but only 26 in 2011; CCNO's new \$100 booking fee and pay to stay program has generated several thousands of dollars per month; the employees work 82.5 hours before receiving overtime; 18 supervisors are doing work that should be performed by 23 supervisors according to auditors; and Henry County deputies received a 3% raise in 2011 with no increase in insurance costs.

### Factfinder's Recommendation

Based on CCNO's economic status, the economic status of the six contributing jurisdictions, wages in comparable entities, the cost of living index, and the rest of the Agreement, the Factfinder recommends a 2.00% increase effective January 1, 2011.

DATED: April 25, 2011

  
Susan Grody Ruben  
Susan Grody Ruben, Esq.  
Factfinder



SUSAN GRUDY RUBEN, ESQ.  
ARBITRATOR AND MEDIATOR

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