

IN THE MATTER OF FACT FINDING

BETWEEN

THE CITY OF TOLEDO, OHIO

AND

INTERNATIONAL BROTHERHOOD OF TEAMSTERS, LOCAL 20

Robert G. Stein, Fact-finder

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INTRODUCTION

The parties to this matter are the International Brotherhood of Teamsters, Local 20. (hereinafter "Union") and the City of Toledo, Ohio (hereinafter "Employer" or "City"). The Employer is located in northwest Ohio. The bargaining unit is comprised of approximately ninety-two (92) employees who hold various positions in the City, the classifications of which can be found in Section 2121.02 of the collective bargaining agreement. The current collective bargaining agreement was effective on September 30, 2010 and was extended beyond the date of December 31, 2012. Several negotiations sessions were held between the parties prior to the involvement of the fact finder, which resulted in agreement on a large number of issues. (See Appendix A) The parties, with the assistance of the fact finder, opted to attempt to mediate a resolution of numerous unresolved issues instead of going directly to fact finding. The fact finder held two intense mediation sessions with the parties on February 14 and 15, 2013 that resulted in several tentative agreements and near agreement on a handful of significant issues. The commitment and creativity of the lead advocates, Mr. Roca and Mr. Niedzielski was exemplary, as was the tireless efforts and expertise of Chuck Collinson, Teamster Business Agent and Stephen Herwat, Deputy Mayor. The mediator/fact finder would like to thank these experienced gentlemen and their knowledgeable teams for the stalwart representation of their constituents in these mediations sessions. Firm resolve tempered by pragmatism and reason in looking for common ground often results in responsible decision making, and that is what occurred here.

General/State/Local Economic Overview: Continued concern and general widespread uneasiness appear to be an apt characterization of the state of the current international, national and the local economies. Adding to the uncertainty in the United States are phrases like "sequester," which replaced the "fiscal cliff" that dominated the airwaves in December and early January. The economy in Ohio continues to show signs of steady improvement from a very long and severe national recession that remains subject to the financial health of the United States and other countries, particularly those who are currently facing considerable debt in Europe, not to mention growing debt obligations of

the United States. With the focus on other issues and countries, it remains to be seen if Greece will adequately address its economic problems and whether others such as Italy and Spain, will become the next major areas of crisis to plague the financial markets. It is remarkable and difficult to understand how the economic collapse of one European country can significantly undo months of economic recovery in the United States, but as we carefully progress from winter to spring, with a stock market at record levels, uncertainty remains pervasive, as does gridlock in Washington D.C.

Other concerns that are closer to home include an unemployment rate in the Toledo area in the mid 7% range as of January 2013, which has dropped considerably from almost double that rate in June of 2009. (BLS Data) Also, there has been consistent recovery for the Chrysler Group LLC for several months and in the sales of the locally produced Jeep Wrangler. In addition, Toledo continues to be a leader in exporting goods via its port facilities. Gross domestic product in metro Toledo rose 1.6 percent in 2011, the fourth-fastest growth rate among top metro areas in Ohio, according to a report released Friday by the U.S. Bureau of Economic Analysis. (Toledo Blade, 2/23/13). However, probably a most telling statistic regarding the local economic strength of Toledo is the median household income, which in 2007 was \$50,377 and four years later in the year 2011, was \$42,067. (Census ACS Data) In 2011 the median household income in Toledo is 31.8% less than the Ohio average, and 34.5% less than the National average. When a national economy booms, national and state government have the capacity to be more generous to local governments, when it is not booming, people are being laid off, consumers have less disposal income, and tax revenues are declining, the opposite is true. The Ohio economy and in particular that of the Toledo area have survived a strong financial downturn and are now in the process of digging their way out. But, the progress is slow and uncertain, as state revenue in the form of local government funds have been substantially reduced and local revenue sources have suffered. What Americans have experienced beginning in 2008 and continuing into the present has left a lasting impression about the insecurity of the future and it has had a profound effect on public attitudes and spending patterns. Additionally, it has left a lasting impression on employers and unions who now appear to be viewing the future with a sobering reality. That reality is reflective in the recommendations contained in this report. It recommends a responsible, yet competitive

settlement based upon what other bargaining units in the City have agreed upon when faced with the economic reality of the City's fiscal health and stability. It also reflects the resolute effort of the Union to protect its membership and the integrity of the Agreement.

Prior to fact finding the parties reached tentative agreement on several issues. During the mediation portion of fact finding, the parties, with the assistance of the fact finder, were able to resolve the remaining issues in terms of either reaching tentative agreement, and/or attaining agreement in general regarding what represented a responsible and reasonable compromise that was then provided to the fact finder for his consideration. Nevertheless, what is contained in Appendix A (a list of prior tentative agreements) and in Appendices B and C (language of tentative agreements and recommendations of the fact finder) is based upon the criteria contained in the Ohio Revised Code that governs the work of fact finders in these proceedings.

CRITERIA

OHIO REVISED CODE

In the finding of fact, the Ohio Revised Code, Section 4117.14 (C) (4) (E) establishes the criteria to be considered for fact-finders. For the purposes of review, the criteria are as follows:

1. Past collective bargaining agreements
2. Comparisons
3. The interest and welfare of the public and the ability of the employer to finance the settlement.
4. The lawful authority of the employer
5. Any stipulations of the parties
6. Any other factors not itemized above, which are normally or traditionally used in disputes of this nature.

RECOMMENDATIONS:

SEE APPENDICES B & C ATTACHED TO THIS REPORT.

TENTATIVE AGREEMENT

During negotiations and the fact finding proceedings, the parties reached tentative agreements on several issues. The Appendices contained in this report, any and all tentative agreements previously signed, as well as any current language that is not changed or not addressed above should be considered to be recommended in the successor Collective Bargaining Agreement.

The fact finder respectfully submits the above recommendations to the parties this ____ day of March 2013 in Portage County, Ohio.

Robert G. Stein, Fact finder