

FACT-FINDING REPORT

STATE OF OHIO

STATE EMPLOYMENT RELATIONS BOARD

May 1, 2013

In the Matter of:

City of North Royalton)
) Case Nos. 2012-MED-09-1077 (Sergeants)
 and) 2012-MED-09-1078 (Patrolmen)
)
Fraternal Order of Police Lodge No. 15)

APPEARANCES

For the City:

Thomas Kelly, Law Director
Donna Vozar, Assistant Law Director
Robert Stefanik, Mayor
Patrick Jones, Human Resources
John Elek, Police Chief
Bruce Campbell, Safety Director
Karen Fegan, Director of Finance

For the Union:

Robert Phillips, Attorney
Mary Schultz, Financial Expert
D. Center, Sergeant
G. McGraw, Sergeant
j. Imars, Patrolman
C. Redrup, Patrolman

Fact Finder:

Nels E. Nelson

BACKGROUND

The instant dispute involves the City of North Royalton and the Fraternal Order of Police Lodge No. 15. The city has an area of 21.31 square miles; a population of 30,494; and a median household income of \$57,398. It is governed by a mayor and seven councilmen. The union represents two bargaining units. The first consists of seven sergeants and the second includes 27 patrol officers. They are covered by separate collective bargaining agreements but engage in multi-unit bargaining with the city.

The parties' collective bargaining agreements expired on Decembers 31, 2012. Prior to that date, the parties met to negotiate on a number of occasions. However, when they were unable to reach agreement, the dispute proceeded to fact finding. The Fact-Finder was notified of his appointment by the State Employment Relations Board on March 11, 2013.

A fact-finding hearing was held on April 20, 2013. At that time, the parties submitted statements on the issues at impasse and the city's ability to pay. The Fact Finder had extensive discussions with the parties regarding their positions and the rationale for their positions. The parties agreed that the Fact Finder should issue his report and recommendations based on their submissions and his discussions with them.

The recommendations of the Fact Finder are based upon the criteria set forth in Section 4117-9-05(K) of the Ohio Administrative Code. They are:

- (a) Past collectively bargained agreements, if any, between the parties;
- (b) Comparison of the unresolved issues relative to the employees in the bargaining unit 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 interest and welfare of the public, and 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;
- (f) Such other factors, not confined to those listed in this section, which are normally or traditionally taken into consideration in the determination of issues submitted to mutually agreed upon dispute procedures in the public service or in private employment.

ISSUES

The parties submitted six issues to the Fact Finder. In order to expedite the resolution of the dispute, the parties agreed that he should issue his report and recommendations for the resolution of the dispute without any discussion of their positions and without providing any rationale for his recommendations.

1) Article XIX - Salary Schedule

Recommendation - The Fact Finder recommends the following contract

language:

Patrolmen:

19.01 Effective January 1, 2013, all employees will be paid in accordance with the following rates of pay throughout the year 2013.

Job Title	Step 1	Step 2	Step 3	Step 4
Patrolman	\$25.38	\$27.34	29.36	\$31.38

19.02 Effective January 1, 2014, all employees will be paid in accordance with the following rates of pay throughout the year 2014.

Job Title	Step 1	Step 2	Step 3	Step 4
Patrolman	\$25.82	\$27.82	\$29.87	\$31.93

19.03 Effective January 1, 2015, all employees will be paid in accordance with the following rates of pay throughout the year 2015.

Job Title	Step 1	Step 2	Step 3	Step 4
Patrolman	\$26.27	\$28.31	\$30.39	\$32.49

19.04 - No change.

19.05 - No change.

19.06 Employees shall be paid an annual professional wage supplement of Two Thousand Six Hundred Dollars (\$2,600.00) in 2013; Two Thousand Seven Hundred Dollars (\$2,700.00) in 2014; Two Thousand Eight Hundred Dollars (\$2,800.00) in 2015. This professional wage supplement will be paid annually in a lump sum amount.

19.07 - No change.

Sergeants:

19.01 Effective January 1, 2013, all employees will be paid in accordance with the following rates of pay throughout the year 2013.

<u>Job Title</u>	<u>Step 1</u>
Sergeant	\$36.39

19.02 Effective January 1, 2014, all employees will be paid in accordance with the following rates of pay throughout the year 2014.

<u>Job Title</u>	<u>Step 1</u>
Sergeant	\$37.03

19.03 Effective January 1, 2015, all employees will be paid in accordance with the following rates of pay throughout the year 2015.

<u>Job Title</u>	<u>Step 1</u>
Sergeant	\$37.68

19.04 - No change.

19.05 Employees shall be paid an annual professional wage supplement of Three Thousand Two Hundred Dollars (\$3,200.00) in 2013; Three Thousand Three Hundred Dollars (\$3,300.00) in 2014; Three Thousand Four Hundred Dollars (\$3,400.00) in 2015. This professional wage supplement will be paid annually in a lump sum amount.

2) Article XX - Longevity

Recommendation - The Fact Finder recommends the following contract

language:

Patrolmen & Sergeants:

Section 20.01 Each employee upon the completion of five (5) year of continuous service with the Employer on a full-time basis, shall be paid the amount of One Hundred Dollars (\$100.00) per year. The payment will be made in lump sum on the first pay period ending after his anniversary date of hire. The amount of longevity shall be calculated in overtime pay and shall be paid with the following schedule:

5 th Anniversary	\$500	13 th Anniversary	\$1300
6 th Anniversary	\$600	14 th Anniversary	\$1400
7 th Anniversary	\$700	15 th Anniversary	\$1500
8 th Anniversary	\$800	16 th Anniversary	\$1600
9 th Anniversary	\$900	17 th Anniversary	\$1700
10 th Anniversary	\$1000	18 th Anniversary	\$1800
11 th Anniversary	\$1100	19 th Anniversary	\$1900
12 th Anniversary	\$1200	20 th Anniversary	\$2000

Effective 2013, the longevity steps as set forth below shall be extended by five steps as follows:

21 st Anniversary	\$2100
22 nd Anniversary	\$2200
23 rd Anniversary	\$2300
24 th Anniversary	\$2400
25 th Anniversary	\$2500

3) Article XXIII - Uniform Allowance

Recommendation - The Fact Finder recommends the following contract

language:

Patrolmen:

23.01 - No change.

23.02 Each non-probationary employee shall receive a uniform allowance in the amount of One Thousand Dollars (\$1,000) each year of the Agreement, payable in equal increments in the first pay period in January and first pay period in July each calendar year.

23.03 - No change.

23.04 - No change.

23.05 - No change.

Sergeants:

23.01 - No change.

23.02 Each non-probationary employee shall receive a uniform allowance in the amount of One Thousand Dollars (\$1,000) each year of the Agreement, payable in equal increments in the first pay period in January and first pay period in July each calendar year.

23.03 - No change.

23.04 - No change.

23.05 – The Employer shall contribute up to Eight Hundred Fifty Dollars (\$850.00) towards the cost of individual bullet vests providing that such individual(s) receiving such contribution shall be required to wear the vest or refund such monies to the Employer. Vests will be replaced every five (5) years or as approved by the Employer. The Union shall provide the Employer with three (3) approved vendors which employees must utilize to obtain bulletproof vest. This provision is effective upon the execution of the Agreement. Employees not requesting such a contribution shall not be required to wear a vest, provided such employees sign a waiver attesting to their knowledge and rejection of such contribution and releasing the Employer from any liability resulting therefrom.

4) Article XXIV - Insurance

Recommendation - The Fact Finder recommends the following contract

language:

Patrolmen & Sergeants:

Section 24.01 The Employer shall provide each employee with either individual or family coverage, as appropriate, with hospitalization and dental coverage as selected by the Employer. The Employer shall have the right to change insurance carriers, proving the insurance coverage is comparable to the existing coverage during the term of this Agreement.

24.02 Effective January 1, 2013 employees shall contribute toward health care premiums. The employee contribution for family coverage shall be \$45.00 per month. The employee contribution for individual coverage shall be \$24.00 per month.

Effective January 1, 2014, employees shall also contribute an additional \$32.00 per month in employee contributions for family coverage (total monthly premium of \$77.00) and an additional \$16.00 per month in employee contributions for individual coverage (total monthly premium of \$40.00 per month).

Effective January 1, 2015, employees shall contribute an additional premium increase of \$38.00 per month in employee insurance contributions for family coverage (total maximum monthly premium of \$115.00) and an additional \$16.00 per month in employee insurance contributions for individual coverage. (total maximum monthly premium of \$56.00 per month)

All employees shall complete the health risk assessment/wellness program before August 15, 2013.

All Employee insurance premium contributions shall be by payroll deduction. In the event that an employee is not receiving a paycheck said employee will be permitted to voluntarily pay his/her portion of the premium directly to the City for so long as said person is employed.

Section 24.03 - Current Section 24.04.

Section 24.04 - Current Section 24.05.

Section 24.05 - Current Section 24.06.

Section 24.06 - Current Section 24.07.

5) Article XXV – Miscellaneous

Recommendation - The Fact Finder recommends the following contract

language:

Patrolmen:

25.01 - 25.11 - No change.

25.12 – Delete.

23.13 - Delete.

Sergeants:

25.01 - 25.11 - No change.

25.12 - Delete.

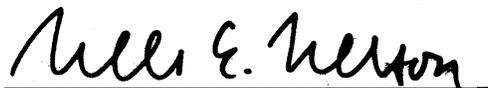
6) Article XXXVII - Duration

Recommendation - The Fact Finder recommends the following contract

language:

Patrolmen & Sergeants:

37.01 Shall be effective at 12:01 a.m. on January 1, 2013 and shall continue in full force and effect, along with any amendments made and annexed hereto, until midnight, December 31, 2015.



Nels E. Nelson
Fact Finder

May 1, 2013
Russell Township
Geauga County, Ohio