

ADMINISTRATION

By way of a letter from the State Employment Relations Board (SERB) dated July 25, 2013, the undersigned was informed of his designation to serve as fact finder regarding an initial labor contract, negotiations impasse. On August 29, 2013, a fact finding hearing took place where testimony as well as document evidence was presented. The record was closed at the conclusion of the hearing and the matter is now ready for the issuance of a fact finding report.

BACKGROUND

This impasse involves a bargaining unit made up of approximately 37 employees of Marysville Exempt Village School District Board of Education (“the Board” or “the District”), who are represented by OAPSE/AFSCME Local 105 (“the Union”). The bargaining unit is comprised of bus drivers, van drivers, mechanics and bus aids. The District, which has an average daily enrollment of approximately 5,130 students, is located in Union County, Ohio.

On October 10, 2012, SERB certified the bargaining unit. Thus, the Board and the Union began negotiations regarding an initial labor contract in November of 2012, whereby a tentative agreement was reached on March 25, 2013. Since the Union’s membership did not ratify the tentative agreement, mediation with the assistance of a SERB mediator took place on June 24, 2013. Accordingly, a second tentative agreement was reached and as before the representatives of the Union presented it to the membership for ratification. On August 19, 2013, this second tentative agreement was also not ratified. Therefore, in accordance with O.R.C 4117.14 the Parties have now brought this negotiations impasse matter to fact-finding, whereby the recommendations herein submitted by the undersigned as fact finder are offered in light of the following ORC 4117.14 criteria:

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- Past collectively bargained agreements between the parties;
- 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;
- 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,
- The lawful authority of the public employer.
- Any stipulations of the parties.
- Such other factors, not confined to those listed above, which are normally or traditionally taken into consideration in the determination of issues submitted to mutually agreed-upon dispute settlement procedures in the public service or in private employment.

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1.

Duration of Agreement

Union's Position: A three-year labor contract with a reopener on wages for the third year, the 2015-16 school year.

Board's Position: A one-year labor contract regarding the 2013-14 school year which would expire on June 30, 2014.

It is recommended that the Parties adopt a two-year labor contract. It is felt that this appropriately balances the mutual interest of collective bargaining stability and being able to timely respond to the oftentimes changing financial circumstances faced by the Board as well as the employees individually.

2.

Compensation and Fringe Benefits

Union's Position: A two percent (2%) increase in wages for 2013-14, a three percent (3%) increase for 2014-15, and a one half percent (.5%) increase for

2015-16, along with a “Me too” regarding the teachers compensation package for that year.

Board’s Position: As to 2013-14, a one percent (1%) increase in wages and a longevity step advancement as was included in the second tentative agreement.

In recommending a two-year labor contract, it is recommended that there be a one percent (1%) increase in wages as well as a longevity step advancement for 2013-14 and a two percent (2%) increase in wages with no step increase regarding the 2014-15 school year. Accordingly, this is the same as was received by the teaching staff who are represented by the Marysville Education Association. Very importantly, as to the central importance of the collective bargaining process this 1% increase along with a step increase as to 2013-14 was included in the aforementioned second tentative agreement that was reached between the Board and the Union. Also, the Board recently approved as to its classified employees a one percent (1%) wage increase as well as a step increase for the 2013-14 school year and a two percent (2%) wage increase with no additional steps for the 2014-15 school year.

In making this recommendation it is pointed out that, as in many Ohio school districts, the Board has recently experienced considerable financial difficulties and thus substantial budget cuts. Accordingly, with a renewal levy having been approved in an election that was held in May of this year, it is understandable that the Board would desire to reassure the voters by acting with fiscal restraint. At the same time, the Union’s leadership felt that the Board’s offer of a one percent (1%) wage increase along with a step increase for the 2013-14 school year was reasonable since this was part of the second tentative agreement. Additionally, it is to be noted that in only a few of the comparable school districts referred to in the record have such increases been granted to the transportation employees.

3.

It is recommended that all tentatively agreed upon contract provisions be adopted.



William C. Heekin
September 17, 2013
Cincinnati, Ohio