

STATE EMPLOYMENT RELATIONS BOARD  
FACT-FINDING REPORT

**In The Matter of Fact-Finding**

**Between**

**Allen County Sheriff's Office, Employer**

**And**

**Fraternal Order of Police, Ohio Labor Council, Inc., Union**

Re: Case No(s). 13-MED-02-0120, 13-MED-02-0122

FACT-FINDER: John Babel Jr.

APPEARANCES

FOR THE UNION

Ross Rader  
222 E. Town Street  
Columbus, Ohio 43215

FOR THE COUNTY

Benhamin S. Albrecht  
Fishel Hass Kim Albrecht LLP  
400 S. Fifth Street 200  
Columbus, Ohio 43215

In attendance were eight union and six management personnel. It was an informal session and members of both parties under the direction of their representative contributed to the discussion.

**HEARING**

This hearing was held on May 30, 2013 at the Sheriff's Office in Allen County. The issue is the reopener of the present contract for wages for 2013 for both Gold and Support units.

The fact-finder was very impressed with the skill and ability of those in attendance at the hearing and compliments them on their professionalism and the high regard they have for the performance of the sheriff department.

In reporting the conclusion of this hearing the fact-finder has given full consideration to all reliable information relevant to the issues and to all criteria specified in 4117.14(4)(e) and Rule 4117-9-05(a) past collectively bargained agreement 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 considerations to factors peculiar to the area and classification involved: (c) the interest and welfare of the public, the ability of the public employer to finance and administer the issues proposed, and the effect of the adjustment on the normal standard of public service; (d) the lawful authority of the public employer: (se) stipulations of the parties (f) 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.

## INTRODUCTION

The fact-finder was contacted under the auspices of The Ohio State Employment Relations Board to assist in the negotiated procedures between the Allen County Sheriff's Office (Allen County) and The Fraternal Order of Police Ohio Labor Council, Inc.. The Sheriff's Office is under the jurisdiction of the Allen County Board of Commissioner, The Fraternal Order of Police Ohio Labor Council, Inc. are negotiating for two units, Gold which represents all full-time sergeants and lieutenants, (approximately 17 members) and the Support Unit consisting of full-time records, cooks, and mechanics (approximately 11 members). Both parties have agreed that the fact-finder will make a recommendation on Article 18.1 Wages for Gold Uunit and Article 18.1 Wages for the Support Unit.

The parties met on April 24, 2013 and made a tentative agreement of .50 per hour increase effective January 1, 2013 for both units. This agreement due to financial concerns was rejected by county Commissioners.

**ISSUE**

UNION

For Gold Unit:

Section 18.1 Wages

Effective the dates listed below, the hourly wage rates for bargaining unit employees shall be as follows:

Effective January 1, 2013: Plus 2.5%

	STEP A	STEP B	STEP C	STEP D
SERGEANT	\$21.28	\$22.20	\$24.00	\$24.17
LIEUTENANT	\$24.82	\$26.07	\$27.29	\$28.23

Step A is starting rate of pay.

Step B is earned after six (6) months of continuous service.

Step C is earned after twelve (12) months of continuous service

Step D is earned after eighteen (18) months of continuous service

No changes in articles 18.2, 18.3, 18.4 and 18.5.

For Support Unit:

Section 18.1 Wages

Effective the dates listed below, the hourly wage rates for bargaining unit employees shall be as follows:

Effective January 1, 2013: Plus 2.5%

	STEP A	STEP B	STEP C	STEP D
RECORDS OFFICER	\$13.19	\$13.74	\$14.27	\$14.83
HEAD COOK	\$14.23	\$14.76	\$15.35	\$15.99
COOK	\$12.75	\$13.27	\$13.79	\$14.32
MECHANIC	\$18.34	\$19.04	\$19.81	\$20.62
MECHANIC'S ASST	\$13.03	\$13.55	\$14.11	\$14.66

Step A is starting rate of pay.

Step B is earned after six (6) months of continuous service.

Step C is earned after twelve (12) months of continuous service

Step D is earned after eighteen (18) months of continuous service

No changes in Articles 18.2,18.3,18.4,18.5

SHERIFF'S OFFICE

Current language – no increase in wages.

For Gold Unit:

Section 18.1 Wages

Effective the dates listed below, the hourly wage rates for bargaining unit employees shall be as follows:

	STEP A	STEP B	STEP C	STEP D
SERGEANT	\$20.76	\$21.66	\$23.41	\$23.58
LIEUTENANT	\$24.21	\$25.45	\$26.62	\$27.54

Step A is starting rate of pay.

Step B is earned after six (6) months of continuous service.

Step C is earned after twelve (12) months of continuous service

Step D is earned after eighteen (18) months of continuous service

No changes in Articles 18.2,18.3,18.4,18.5.

For Support Unit:

Section 18.1 Wages

Effective the dates listed below, the hourly wage rates for bargaining unit employees shall be as follows:

	STEP A	STEP B	STEP C	STEP D
RECORDS OFFICER	\$12.87	\$13.40	\$13.92	\$14.47
HEAD COOK	\$13.88	\$14.40	\$14.98	\$15.60
COOK	\$12.44	\$12.95	\$13.45	\$13.97
MECHANIC	\$17.89	\$18.58	\$19.33	\$20.12
MECHANIC'S ASST	\$12.71	\$13.22	\$13.77	\$14.30

Step A is starting rate of pay.

Step B is earned after six (6) months of continuous service.

Step C is earned after twelve (12) months of continuous service

Step D is earned after eighteen (18) months of continuous service

No changes in Articles 18.2, 18.3, 18.4 and 18.5.

## DISCUSSION – UNION

The Union proposed that the estimated cost of the proposal is \$30,000 plus 25% roll-up such as the Sheriff's department cost for employee retirement and other salary related cost. Data was presented as to eight county salary comparable but the data was for both 2009 and 2010 and it was difficult to determine trends. There was some revenue increases to the County such as lottery funds, casino and sales and general funds. Tax rates of the eight counties varied from 1% to 1.5% with Allen County at 1.0%. Sheriff's department did point out that a recent sales tax increase was rejected by the Allen County voters. SERB data for 2012 indicated that Toledo average wage settlement was 0.74% and County settlements was 0.72%.

## COUNTY POSITION

The County recognized that the employees in the bargaining unit have not received an increase to their base wage rate during the life of the current agreement. However, such a wage freeze was the result of the impasse process giving rise to the current agreement. Although the employees' base wage rate has not increased, the parties bargained wages in 2012 pursuant to wage re-opener and agreed upon a lump sum payment to employees.

Although proposing a 0% wage increase for 2013, bargaining unit employees would receive an increase due to longevity and/or step increases, if applicable. Thus, if applicable, employees would still experience a modest increase due to either steps and/or the longevity scale.

The Employer's 0% wage increase is based upon current economic concerns and trends related to the County's General Fund.

By way of example, in the past several years, the budgets governing County General Fund employees have been reduced. The reductions have occurred due, in large part, to the decreases in the total General Fund Revenue. In 2009, the total General Fund Revenue was \$24,988,661 and the 2012 total General Fund Revenue was \$23,987,636. The 2013 General Fund total Revenue estimate is \$23,296,182 – less than both the 2009 and 2012 numbers. In fact, the 2012 total General Fund Revenue was less than the General Fund Revenue in 2006. As such, the county is demonstrating fiscal responsibility by maintaining the status quo as it relates to wage increases for General Fund employees.

Although Sales Tax revenue may have risen over the period of the collective bargaining agreement, it is important to note that other revenue coming in to the General Fund has decreased. Amounts received pursuant to the Local Government Fund revenue, interest revenue and estate tax revenue have all decreased.

Of additional importance is the fact that the Board of County Commissioners implemented furloughs, cost-savings days, layoffs and no wage increases since 2008 for certain employees in order to help limit its costs.

## FACT-FINDER RECOMMENDATION

Current language, no wage increases for 2013 reopener

## DISCUSSION

Both sides demonstrated that Allen County and surrounding areas are in a financial challenging time with some possible glimmer of future hope that things will change. The Union provided a more positive future, especially in the area of funds from the casino tax.. Data on area tax rates were provided with Allen at the 1% level. The commissioner did propose a tax increase that was rejected at the ballot box. One confusing area was a negotiated \$.50 hourly increase that was rejected by the commissions due to financial concerns. In reviewing the financial data carefully, seeing unemployment rate over 7%, new and expanding facilities and major businesses at an all time low since 2000, new and active businesses the lowest since 2000 and a General Fund projected unappropriated balance of less than \$2000.00 led to this recommendation of no increase in 2013.

Respectfully submitted and issued this 25th day of June 2013.

John Babel, Jr.

Fact-Finder

## CERTIFICATE OF SERVICE

A true copy hereof was sent by electronic mail to both parties and SERB on this 25<sup>th</sup> day of June 25th