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**Fact Finding Report  
State of Ohio  
State Employment Relations Board  
January 20, 2014**

**In the Matter of Fact Finding Between:**

**City of Brookville, Ohio,** :  
**and** : **Case No. 2013-MED-10-1254**  
**Ohio Patrolmen's Benevolent** : **Fact Finder Steven Ball**  
**Association.** :  
:

**Fact Finding Hearing**

Location  
City of Brookville  
301 Sycamore Street  
Brookville, Ohio 45309

Date  
January 15, 2014

**For the Union**

Joseph Hegedus  
Michael Swigart

**For the City**

Benjamin Albrecht  
Chief Doug Jerome  
Sonja Keaton

## **Introduction**

The Employer, the City of Brookville, is a municipality in Montgomery County, Ohio. The City has a population of 5,873. The City has one collective bargaining agreement for a bargaining unit consisting of eight (8) full-time Patrol Officers which is represented by the Ohio Patrolmen's Benevolent Association. The parties are negotiating a successor agreement.

The parties met for multiple bargaining sessions, including one session with a SERB mediator. The parties are now at impasse.

Prior to the Fact Finding hearing, the parties resolved all open issues, except Article 16, Insurance, and Article 21, Wages. The parties agreed to waive the pre-hearing submissions. Rather, the parties positions were summarized in an email to the Fact Finder.

## **Employer's Position**

With respect to Article 16, Insurance, the Employer proposed maintaining the current Employer/Employee premium contribution split of 88%/12% through July 31, 2014. Effective August 1, 2014, the Employer proposed new language that bargaining unit employees make the same premium contribution as other non-bargaining unit employees, not to exceed 20% of the monthly premium contribution.

With respect to Article 21, Wages, the Employer proposed a ½% wage increase effective January 1, 2014, a 1% wage increase effective January 1, 2015, and a 1 ½% wage increase effective January 1, 2016.

The Employer maintained that its health insurance and wage increase proposals were appropriate based upon the demographic, economic and comparable evidence submitted to the Fact Finder.

## **Union's Position**

With respect to Article 16, Insurance, the Union proposed maintaining current language. The Union proposed maintaining the current Employer/Employee premium contribution split of 88%/12%.

With respect to Article 21, Wages, the Union proposed a wage increase of 3% effective January 1, 2014, 3% effective January 1, 2015 and a 3% wage increase effective January 1, 2016.

The Union maintained that its health insurance and wage increase proposals were appropriate based upon the demographic, economic and comparable evidence submitted to the Fact Finder.

## **Recommendation**

Both parties submitted demographic and economic information regarding the City of Brookville and its overall financial condition. Additionally, both parties submitted comparable information as it relates to wages, wage increases and health insurance premium contribution information. Additionally, both parties submitted information concerning the costs of the proposals. Other information in support of the parties' respective positions was also provided via documentary evidence and testimony.

In making a recommendation, based upon O.A.C. 4117-9-05, a Fact Finder should consider the following:

- (1) Past collectively bargaining agreements between the parties;
- (2) 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;
- (3) 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;
- (4) The lawful authority of the public employer;
- (5) Any stipulations of the parties; and,
- (6) 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.

In considering the evidence and testimony submitted by the parties during the Fact Finding hearing with respect to the factors outlined above, I recommend as follows:

### Article 16. Insurance

The language of Article 16, Insurance, should be amended to reflect the current 88%/12% premium contribution sharing of the parties. Further, language shall be added that effective January 1, 2015, bargaining unit employees shall be required to pay 13% of the monthly insurance premium. The parties shall re-open Article 16, Insurance, on or around October 1, 2015 for the purpose of negotiating Article 16, Insurance, for the third-year of the agreement, 2016.

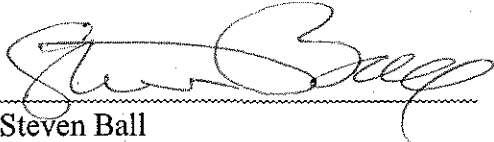
### Article 21. Wages

Effective January 1, 2014, bargaining unit employees shall receive a one percent (1%) wage increase. Effective July 1, 2014, bargaining unit employees shall receive a one percent (1%) wage increase. Effective January 1, 2015, bargaining unit employees shall receive a two percent (2%) wage increase. The parties shall re-open Article 21, Wages,

on or around October 1, 2015 for the purpose of negotiating Article 21, Wages, for the third-year of the agreement, 2016.

Further, the Fact Finder recommends the adoption of all previously agreed upon tentative agreements submitted to the Fact Finder, unless otherwise agreed by the parties.

Respectfully submitted,



Steven Ball

**Certificate of Service**

I hereby certify that an exact copy of the foregoing Fact Finding Report has been served via electronic mail upon Benjamin Albrecht, [balbrecht@fishelhass.com](mailto:balbrecht@fishelhass.com), and Joseph Hegedus, [jmhege@sbcglobal.net](mailto:jmhege@sbcglobal.net), and the State Employment Relations Board, [MED@serb.state.oh.us](mailto:MED@serb.state.oh.us) this 20<sup>th</sup> day of January 2014.



Steven Ball

January 20, 2014