

IN THE MATTER OF FACT-FINDING

BETWEEN

THE CITY OF URBANA, OHIO

AND

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 1823

(Captains and Fire Fighters)

**BEFORE: William C. Binning Ph.D.
SERB Fact-finder**

SERB CASE No(s) 2013-MED-10-1279 2013-MED-10-1280

PRINCIPAL ADVOCATES FOR THE EMPLOYEE

**Jason D. Croker
2839 East State Route 296
Urbana, Ohio 43078**

**James W. Skogstrom
2 West Columbia Street
Suite 200
P.O. Box 1440
Springfield, Ohio 45501**

PRINCIPAL ADVOCATES FOR THE EMPLOYER

**Chris Boettcher
205 S. Main Street P.O. Box 747
Urbana, Ohio 43078**

**David S. Kessler
Dublin Management Group
300 W. Wilson Bridge Rd
Suite 100
Worthington, Ohio 43085**

INTRODUCTION

This Fact-finder was properly appointed to this case by Ohio SERB on November 5, 2013. The parties agreed to a hearing date of December 4, 2013 at the City Offices of Urbana, Ohio.

This case was restricted to a wage reopener. In both the Captains and Fire fighters Contracts with the City of Urbana Under Article 28 Duration: "The parties specifically agree to reopen Article 8 of the Agreement on or before November 14, 2013 for the sole purpose of reviewing and negotiating wage rates. At this time the contract may be opened to modify, change or amend said wage rates." (See: Urbana Fire Captains Contract 2012-2015 and Urbana Fire Fighters Contract 2012-2015).

There were four related wage issues. First, there was the "unlocking 'of the salary steps and the 'forwarding' of the employees affected by the step to their respective steps." This issue was resolved in mediation and a Tentative Agreement on this issue was drafted and signed by both parties. The parties and the Fact-finder have copies.

The other three issues: 1. Wage Schedule, 2. The Longevity Multiplier, 3. Lump Sum Payment are addressed below.

The Fact-finder would like to thank the parties and their advocates for their excellent pre-hearing statements and their patience in educating this Fact-finder about the outstanding issues.

CRITERIA

OHIO REVISED CODE

In Fact-finding, the Ohio Revised Code, Section 4117.14(C) (4) (E) establishes the criteria to be considered by the Fact-finder. The criteria are listed below and were given weight by this Fact-finder in his recommendations for this matter. The criteria are:

- 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. The other factors not listed above, which are normally or traditionally used in disputes of this nature.**

As required, this Fact-finder offered mediation. The parties engaged in good faith mediation.

ISSUE 1

BASIC RATE OF PAY

Discussion and Recommendation

Effective 11/15/13 to 11/14/14 the Union asks for 1.5% and effective 11/15/14 to 11/14/15 the Union asks for 1.5%. The Employer offers effective 11/15/13 to 11/14/14 a rate increase of 1% and effective 11/15/14 to 11/14/15 a rate increase of 1.25%.

Both parties recognized the financial challenges facing the City of Urbana. The proposed increases in all of the items below are viewed by this Fact-finder as a total package. The Union makes gains in all of its requests including the unlocking of the step increases, which is in the Tentative Agreement.

Recommendation: Effective 11/15/13 to 11/14/14 the rate of pay increase is 1%. This increase is retroactive to 11/15/13 and includes the Captains. Effective 11/15/14 to 11/14/15 the rate of pay increase is 1.25% and includes the Captains.

ISSUE 2

LONGEVITY STEP

Discussion and Recommendation

The Union requests effective from 11/15/13 to 11/14/14 a 0.25% increase to longevity steps starting at 5 years. The Union requests effective 11/15/14 to 11/14/15 an increase of 0.125% increase in longevity steps starting at 5 years. That will increase the step increase from the current 2.125% to 2.5% in the 2nd year. The City was opposed to any increases in longevity steps in its pre-hearing statement.

Recommendation: Effective from 11/15/13 to 11/14/14 a 0.25% increase in longevity steps starting at 5 years. This step increase is retroactive to 11/15/13 and includes Captains. Effective from 11/15/14 to 11/14/15 an increase to longevity steps of 0.125% and includes Captain (For steps: See: Urbana Fire Fighters Contract 2012-2015 p 8).

ISSUE 3

LUMP SUM

Discussion and Recommendation

The Union requests a lump sum payment of 1.25% to be paid in December 2013. The Union requests this because it believes it was misled at the start of negotiations for this current contract and wants to be made whole. The City was opposed to a lump sum payment in its pre-hearing statement.

The Fact-finder does not verify what happened at the beginning of negotiations for this contract but does recognize this is a point of contention for the Union.

Recommendation: Each member of the bargaining unit, including Captains, will receive a lump sum payment of three hundred dollars (\$300) at the last pay period in 2013.

The Fact-finder recommends all of the above and the Tentative Agreement reached by the parties.

This Fact-finder submits the above recommendations to the parties this 11th day of December 2013 in Mahoning County Ohio.

William C. Binning Ph.D.

SERB Fact-finder