

**STATE OF OHIO  
STATE EMPLOYMENT RELATIONS BOARD**

In the matter of Fact Finding between:	)	SERB No. 2016-MED-05-0616
	)	
AFSCME OHIO COUNCIL 9,	)	Hearings: October 11, 2016
LOCAL 277,	)	and November 7, 2016
Labor Organization,	)	
	)	Date of Report:
and	)	November 14, 2016
	)	
THE CITY OF ELYRIA, OHIO,	)	Appointed Fact Finder,
Public Employer.	)	Mitchell B. Goldberg

**FACT FINDING REPORT  
(Expedited)**

Appearances: William Nowel, Staff Representative, for the Union; and Susan E, Keating Anderson, Attorney for the City.

I. Introduction and Background.

The Union and the City are parties to a collective bargaining agreement (“CBA”) that expires after August 31, 2017. The bargaining unit consists of approximately 165 City workers in designated job classifications. Section 19 covers the wages over the contract term. There was a wage freeze for contract year 2015-2016. Section 19.2 provides for a re-opener on wage rates to be paid by the City in the last contract year, 2016-2017. The parties were unable to resolve the issue during their negotiations.

SERB appointed the undersigned as the Fact Finder of this unresolved issue pursuant to Ohio Revised Code Section 4117.14(C)(3). The parties agreed to hearings on October 11, 2016 and November 7, 2016. The parties' positions were submitted and reviewed, and the following recommendation is based upon the review of the statements, oral evidence, and the submission of documentary exhibits. The recommendation has considered and applied the statutory criteria under Chapter 4117, the Ohio Administrative Code (Section 4117-9-05(K), and the SERB published

Guidelines.

II. Positions.

The Union is proposing that the bargaining unit members receive an across-the-board wage increase of 3.5% for the last re-opener contract year of 2016-2017. The City is proposing a 0% wage increase for this last contract year.

III. Recommendation:

Based upon my review and consideration of the parties' position statements, oral evidence and documentary exhibits, and applying the statutory, administrative and guideline standards, I hereby recommend that the City increase the wage rates under Section 19.2 by paying a 2% across-the-board wage increase to all bargaining unit members for the 2016-2017 contract year.

Date of Report: November 14, 2016

/s/ \_\_\_\_\_  
Mitchell B. Goldberg, Fact Finder

CERTIFICATE OF SERVICE

The above Fact Finding Report was submitted to SERB, and served on the following persons on this 14 day of November, 2016:

SERB: MED@serb.state.oh.us  
William Nowel, [wnowel@afscme8.org](mailto:wnowel@afscme8.org)  
Susan E. Keating Anderson, [sanderson@walterhav.com](mailto:sanderson@walterhav.com)

/s/ \_\_\_\_\_  
Mitchell B. Goldberg

