

**STATE OF OHIO
STATE EMPLOYMENT RELATIONS BOARD**

In the matter of Fact Finding between:

**FRATERNAL ORDER OF
POLICE, OHIO LABOR
COUNCIL, INC.**

SERB CASE Numbers
**2018-MED-02-0110
2018-MED-02-0111**

Employee Organization

and

**JEFFERSON COUNTY
SHERIFF**
Employer

**FINDINGS
AND
RECOMMENDATIONS**

Date of Issuance of Report – June 18, 2018

Appearances:

For the Fraternal Order of Police:

For the Jefferson County Sheriff

Chuck Aliff, Staff Representative
Sargent Bryan Saylor

Micheal L. Seyer, Negotiator
Sheriff Fred Abdalla

1. INTRODUCTION

In compliance with the Ohio Revised Code 4117.14 (c), the State Employment Relations Board appointed the undersigned to serve as Fact Finder in the above referenced matter. The Fact Finder was notified of the appointment by e-mail dated May 29, 2018.

The fact-finder must commend the parties for the manner in which they conducted themselves at this hearing. Information and positions conveyed by the parties at that time contributed greatly to his ability to understand the issues and arrive at the recommendations contained herein.

Pursuant to the Ohio Revised Code and Administrative Rules, a good faith effort was made to resolve the remaining issues through mediation. At the outset of the hearing the fact-finder offered to mediate the remaining unresolved issues. This offer was accepted by the parties and resulted in significant progress toward a final agreement.

Each Party timely filed the required pre-hearing position statements pursuant to section 4117-9-05 of the rules of the State Employment Relations Board (“hereinafter SERB”) which greatly aided the fact-finder in preparation for the hearing.

2. BACKGROUND

In compliance with the Ohio Revised Code Section 4117.14 and the Ohio Administrative Code Rule 4117.905 (j) and 4117.905 (k) the Fact-finder considered the following criteria in making the findings and recommendations contained in this report:

1. Past Collective Bargaining Agreements between the parties;
2. Compensations 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 the factors peculiar to the area and classification involved;

3. Compensations 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 the factors peculiar to the area and classification involved;
4. The lawful authority of the public employer;
5. Any stipulations of the parties;
6. Such other factors, not confined to those listed above, which are normally or traditionally taken into consideration in the determination of the issues submitted to mutually agreed upon dispute settlement procedures in the public service or in private employment.

Jefferson County is located in Eastern Ohio. The Sheriff employs a number of Deputies and Clerical Staff which encompass several bargaining units. Two of the bargaining units are comprised of (1) Corrections Officers and (2) corrections Sergeants, Lieutenants and Captains. These are the units involved in the current negotiations. The parties have bargained several successive Collective Bargaining Agreements (CBA). The current CBA expired on May 10, 2108, however, the parties agreed to extend the language of that agreement while negotiations continued.

Those negotiations culminated in a tentative agreement on April 11, 2018. However, when submitted to the county commissioners for approval that tentative agreement was rejected. The parties then jointly requested a fact-finder's intervention. A hearing was held on this matter on June 11, 2018, in the offices of the Jefferson County Sheriff.

3. Discussion and Recommendations

At the outset of the hearing the parties indicated that it was their intent to carry forward those items which were tentatively agreed upon with the exception of wages. **Those tentative agreements are hereby incorporated into these recommendations by reference.**

In its pre-hearing statement the Union indicated that it was upholding the tentative agreements, including wages, which had been negotiated on April 11, 2018. The Employer, however, indicated that the wage amount contained in that tentative agreement were unacceptable. However, both parties indicated a willingness to utilize mediation as a means to reach an agreement.

The Union indicated that certain classifications (Captains and Sergeants) where, in its opinion, grossly underpaid. They made reference to the pay of officer's in comparable counties. They were seeking a pay adjustment, for these two classifications, in addition to the across the board increase granted to all bargaining unit members.

The Sheriff indicated that a pay increase was warranted, however, due to a decrease in revenue, primarily from no longer housing as many prisoners from other counties, the increase of the previous tentative agreement was not attainable.

Much of the give and take in which the parties engaged was conducted in the form of mediation, rather than a formal hearing. Therefore, a record of exactly what transpired during that process is not germane to this discussion. However, the parties did provide the fact-finder with enough guidance to make the following recommendation regarding wage increases:

Effective May 10, 2018

All members of both bargaining units will receive a 3 % increase in wages. In addition, all members of both bargaining units will receive a twenty-five cent (\$.25) per hour increase in wages.

Effective May 10, 2019

All members of both bargaining units will receive a 3% increase in wages. In addition, those employees in the classification of Captain and Sergeant will receive an additional increase in wages of twenty-five (\$.25) per hour.

Effective May 10, 2020

All members of both bargaining units will receive a 3% increase in wages.

4. TRANSMITTAL

This report, regarding the finding of facts and recommendations on the unresolved issues, is hereby transmitted by e-mail to the Employer, the Union, and the State Employment Relations Board.

Issued at St. Clairsville, Ohio on June 18, 2018.



Stephen Kubic

Fact-finder