

STATE OF OHIO
STATE EMPLOYMENT RELATIONS BOARD

Fact-Finding Proceedings

Case Nos. 95-MED-09-0806

95-MED-09-0807

95-MED-09-0808

ROBERT C. DEVLIN

FACT-FINDER

STATE-EMPLOYMENT
RELATIONS BOARD
DEC 14 10 10 AM '95

In the Matter of: :
OHIO PATROLMEN'S BENEVOLENT ASSOCIATION : Nov. 28, 1995
and :
PORTAGE COUNTY SHERIFF :

REPORT AND FINDINGS OF THE FACT-FINDER

APPEARANCES

On Behalf of the Union:

Nicholas Codrea, OPBA Staff
Robert W. Syarsek, Corrections Officer Representative
Harold J. Cofer, Union Director
Dan Hall, Supervisor Representative
Cathy Feigert, Dispatcher Representative

Ob Behalf of the County:

Ronald J. Habowski, Attorney
Susan Baker, Assistant Prosecutor
Linda Hoover, Sheriff's Department
Diane W. Kaley, Sheriff
David Doak, Chief Deputy

PRELIMINARY COMMENTS

The State Employment Relations Board appointed the Fact-Finder who was duly notified by G. Thomas Worley, Administrator, Bureau of Mediation, by letter on October 25, 1995.

The fact-finding proceedings were held on November 28, 1995 at the Portage County Justice Center.

Three (3) collective bargaining units were involved:

1. Corrections Officers with approximately fifty-five (55) employees.
2. Dispatchers with approximately nine (9) employees.
3. Deputy Sheriffs with approximately forty-three (43) employees.

The impasse arose from a wage re-opener provision contained in the respective collective bargaining agreements. Mediation did not present a viable course of action since the County insisted that a necessary condition precedent to bargaining was not satisfied. This issue will be addressed later.

Along with the testimony and exhibits, consideration was given to the criteria provided by statute and administrative rule.

The Fact-Finder would be remiss if he did not compliment the parties involved in the preparation and presentation of their respective positions.

ISSUES AND FINDINGS

As indicated above, the County disputes its obligation to negotiate a wage re-opener. If the county is correct in its contention, such a finding would be dispositive of the matter. Logic dictates, therefore, that the merits of this

assertion should be first addressed.

However, this Fact-Finder finds that a recommendation in this matter is beyond the scope of the authority of this proceeding.

COMPENSATION

ISSUE: The Union seeks an eight percent (8%) increase as of January 1, 1996 in addition to the four percent (4%) increase provided in the current collective bargaining agreement.

POSITION OF THE UNION: It is the position of the Union that all comparables clearly demonstrate that the three (3) bargaining units involved lag far behind employees similarly situated. The Union presented compensation data for Northeast Ohio as well as for counties which contained amusement parks.

The Union also presented data reflecting the financial health of Portage County as well as the projected growth.

The Union did indicate a willingness to accept an additional four percent (4%) January 1 and an additional four (4%) July 1.

POSITION OF THE COUNTY: It is the position of the County that the four percent (4%) increase provided by the current collective bargaining agreement exceeds the state average.

It is also the position of the County that the current collective bargaining agreement trends to narrow any gap that may exist.

It is further the position of the County that the data provided by the

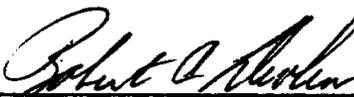
Union conveniently overlooked the other collective bargaining agreements entered into by the County. All seven (7) of these agreements contain wage increases totalling nine percent (9%) over the three (3) year life of the agreement not unlike the agreements of the three (3) bargaining units under consideration.

OPINION OF THE FACT-FINDER: It is the opinion of the Fact-Finder that the compensation for the three (3) bargaining units under consideration seriously lags behind similar units within the state.

However, it is also the opinion of the Fact-Finder that the effect on other bargaining units cannot be totally ignored. It is recognized that although theoretically each bargaining unit makes its own agreement, the impact of an additional eight percent (8%) for some units could have serious effects in both financial and labor relations areas.

The year in question (1996) is the last year of the current collective bargaining agreement. It is felt that some equity adjustment is appropriate now and possibly further addressed at the time of negotiations for the next collective bargaining agreement.

RECOMMENDATION OF THE FACT-FINDER: It is the recommendation of this Fact-Finder that compensation for all three (3) bargaining units be increased in 1996 by seven percent (7%), i.e., the previously agreed upon four percent (4%) plus three percent (3%).



ROBERT C. DEVLIN
Fact-Finder

Dated: December 12, 1995