

STATE EMPLOYMENT
RELATIONS BOARD
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STATE OF OHIO

STATE EMPLOYMENT RELATIONS BOARD

Fact-Finding Proceedings

Case No. 96-MED-11-1120

ROBERT C. DEVLIN

FACT-FINDER

In the Matter of: : November 21, 1997
AFSCME, OHIO COUNCIL 8 :
and : December 11, 1997
CITY OF WILLOUGHBY :

REPORT AND RECOMMENDATIONS OF THE FACT-FINDER

APPEARANCES

On Behalf of the Union:

Michael Bauer, Staff Representative
Monique Accetta, Communications Clerk, Lead
Karen Thomas Mahoney, Dispatcher
William Ryan, Dispatcher

On Behalf of the City:

Tom Grabarczyk, Consultant
Ken Schmitt, Assistant Police Chief
Bob Riegel, Assistant Fire Chief

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 January 28, 1997.

The bargaining unit consists of six (6) dispatchers, one (1) lead clerk, and four (4) clerks.

Fact-finding hearings were first held on November 21, 1997 at the Willoughby Police Department at 36700 Euclid Avenue, Willoughby, Ohio.

This day was actually devoted to negotiation and mediation as well as familiarizing the Fact-Finder with the issues. At the end of that day, three (3) issues remained unresolved, i.e., Uniforms, Life Insurance, and Wages.

Fact-finding hearings were again held on December 11, 1997 at the Willoughby Police Department.

Along with the testimony and exhibits, consideration was given to the criteria in the Ohio Administrative Rules and the Ohio Revised Code.

The Fact-Finder would be remiss if he did not compliment the representatives on the preparation and presentation of their respective positions as well as the degree of professionalism displayed throughout the proceedings.

ISSUES AND RECOMMENDATIONS

ISSUE: This issue, proposed by the Union, seeks to increase the amount of purchases under the Quarter Master system from Three Hundred Dollars (\$300.00) to Four Hundred Dollars (\$400.00) per year.

It also seeks to establish an annual uniform maintenance of Two Hundred Dollars (\$200.00) per year.

POSITION OF THE UNION: It is the position of the Union that the current uniform allowance lags significantly behind the allowance provided in neighboring communities. The Union also feels that the allowance provided to the dispatchers should not be that much less than that provided by the City of Willoughby to the police and fire departments.

POSITION OF THE CITY: It is the position of the City that the entire compensation package for the Dispatcher Unit should be considered and that it is patently unfair to consider areas which might be arguably low and ignore components of the compensation package which are among the highest compared to similar communities.

The City also feels that the current allowance is quite adequate.

OPINION OF THE FACT-FINDER: It is the opinion of the Fact-Finder that although the position of the City is well taken, some adjustment in the allowance should be made.

RECOMMENDATION OF THE FACT-FINDER: It is the recommendation of the Fact-Finder that the article on Uniforms read as follows:

UNIFORMS

Section 1. Effective April 1, 1997 each employee shall be entitled to up to Three Hundred Dollars (\$300.00) worth of purchases under the current Quarter Master system, per year.

Section 2. Effective April 1, 1998 each employee shall be entitled to up to Four Hundred Dollars (\$400.00) worth of purchases under the current Quarter Master system, per year.

LIFE INSURANCE

ISSUE: This issue, proposed by the Union, seeks to increase the amount of employee paid life insurance to Thirty-five Thousand Dollars (\$35,000.00) from the current Twenty-five Thousand Dollars (\$25,000.00).

POSITION OF THE UNION: It is the position of the Union that as part of the safety forces the Dispatchers should receive the same adjustment afforded to the Police Department.

POSITION OF THE CITY: It is the position of the City that all employees of the City, excluding the Police Department, have only Twenty-five Thousand Dollars (\$25,000.00) of life insurance. This is true of the Fire Department which is, of course, part of the safety forces.

The City also feels that the current amount of life insurance is quite adequate and compares favorably with similar communities.

OPINION OF THE FACT-FINDER: It is the opinion of the Fact-Finder that it is in the best interests of both management and labor that benefits generally should be consistent throughout the work force unless any inconsistency can be justified by job-specific considerations.

Not being privy to the police negotiations, this Fact-Finder cannot comment on the reasons for the increase afforded to the police.

RECOMMENDATIONS OF THE FACT-FINDER: It is the recommendation of the Fact-Finder that the article on Life Insurance read as follows:

LIFE INSURANCE

Section 1. Each employee shall be entitled to Twenty-five Thousand Dollars (\$25,000.00) of life insurance paid by the City.

WAGES

ISSUE: Both sides had proposals on this issue. The proposal of the Union is as follows:

Salary Schedule

Effective 3/30/97 through 3/28/98

	A Step	B Step	C Step	D Step	E Step
Clerks	11.27	12.16	13.05	13.94	14.81
Lead Clerk	12.04	13.04	14.04	15.04	16.04
Comm Op	13.56	14.58	15.60	16.62	17.64

For placement purposes;

Place Clerk Cathy Verhotz in D Step, Place Kim Thompson in B Step, Place Michelle Butchock in A Step and increase Robin Mercer's hourly rate of 10.13 to 10.64. On her anniversary date she would advance to A Step.

Place Lead Clerk Monique Accetta at D Step.

Place Communication Operators Chris Klingman, Bill Ryan and Karen Thomas Mahoney at D Step, and Place Communication Operators Becky Robinson, Eric Shimelonis and Carla Brunarski at C Step.

Everyone advances to next step on April 1, 1998, 1999, etc...

Effective 3/29/98 through 3/27/99 all the above steps shall be increased 3.5%.

Effective 3/28/99 through 3/25/2000 all the above steps shall be increased 3.5%.

All new hires to start at Step A and advance annually until they reach Step E.

The City on the other hand is proposing a three percent (3%) across the board increase retroactive to the beginning of the pay period including April 1, 1997. The City is further proposing wage re-openers on April 1, 1998 and April 1, 1999.

POSITION OF THE UNION: The Union relies heavily on the past practice of step adjustments, the Ernst & Young study, and various ordinances. The Union readily admits that the Dispatcher Unit is well paid and wishes to keep it so.

POSITION OF THE CITY: The City takes the position that wages should be the result of collective bargaining negotiations. It points out that its proposal not only places the compensation within the range proposed by the Ernst & Young study but also compares favorably with similar communities.

OPINION OF THE FACT-FINDER: It is the opinion of the Fact-Finder that the study of Ernst & Young did not necessarily mandate that all positions in a grade be ultimately compensated at the top of the range.

It is further the opinion of the Fact-Finder that the three percent (3%) effective on or about April 1, 1997 is low compared to other employees of the City.

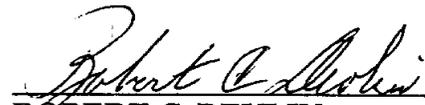
It is also the opinion of the Fact-Finder that re-openers would be ill advised. It would be in the best interests of both parties to establish the terms of the collective bargaining agreement now.

RECOMMENDATION OF THE FACT-FINDER: It is the recommendation of the Fact-Finder that the article on Wages read as follows:

WAGES

Section 1. All employee shall receive increases in accordance with the following:

<u>Effective Date</u>	<u>% Increase</u>
3/30/97	3.5
3/29/98	3.0
3/28/99	3.0



ROBERT C. DEVLIN
FACT-FINDER

Dated: December 16, 1997

SERVICE

A copy of the foregoing Report and Recommendations has been served upon the following individuals by regular U.S. mail this 16th day of December, 1997.

G. Thomas Worley, Administrator
Bureau of Mediation
State Employment Relations Board
65 East State Street
Columbus, Ohio 43215

Tom Grabarczyk
Labor Relations Management, Inc.
6800 West Central Avenue
Suite L-2
Toledo, Ohio 43617

Michael Bauer
Staff Representative
AFSCME, Ohio
1603 East 27th Street
Cleveland, Ohio 44114

N.B. Copies were sent by Fax to Tom Grabarczyk, and Michael Bauer, Staff Representative on December 16, 1997.



ROBERT C. DEVLIN
FACT-FINDER