



State
Employment
Relations
Board



65 East State Street, 12th Floor
Columbus, Ohio 43215-4213
(614) 644-8573

May 19, 1997

Mr. Henry Arnett
280 North High Street - Suite 1410
Columbus, OH 43215

Mr. Daniel A. More
Assistant City Prosecutor
City of Upper Arlington
3600 Tremont Road
Upper Arlington, OH 43221

RE: Case Nos. 97-MED-02-0144
97-MED-02-0145
International Association of Fire Fighters and
City of Upper Arlington

Dear Messrs. Arnett and More:

The fact-finding report in the referenced case was issued on April 30, 1997.

The International Association of Fire Fighters and City of Upper Arlington have not certified to the SERB the results of votes regarding the fact-finding report within 24 hours of the expiration of the voting period.

The fact-finding report is deemed accepted by the International Association of Fire Fighters and City of Upper Arlington in that they have not voted upon the report or have failed to communicate the vote to the SERB in accordance with Ohio Administrative Code Rule 4117-9-05(M) and (N).

I provide this notice as an administrative function of the Bureau of Mediation. The notice does not represent a Board determination. That decision may be sought through the unfair labor practice proceedings of Section 4117.11 of the Ohio Revised Code or the motion procedures outlined in Ohio Administrative Code Rule 4117-1-04.

Sincerely,

G. Thomas Worley
Administrator, Bureau of Mediation

GTW:dym
97-0144f/106f

cc: E. William Lewis
Jack E. McCormick

An Equal Opportunity Employer



STATE EMPLOYMENT RELATIONS BOARD

IN RE: :

INTERNATIONAL ASSOCIATION OF : Case Nos. 97MED-02-0144
FIREFIGHTERS, LOCAL 1521 : 97MED-02-0145

Employee Organization :
and : REPORT OF MEDIATOR/
FACT-FINDER JACK E. MCCORMICK

CITY OF UPPER ARLINGTON : April 30, 1997

Public Employer. :

I

On Monday, April 21, 1997 at 10:00 a.m., pursuant to appointment by the State Employment Relations Board, the undersigned conducted a mediation/fact-finding between the referenced parties. The hearing was conducted at the offices of the City of Upper Arlington, 3600 Tremont Road, Upper Arlington, Ohio 43221-1595.

In attendance at the hearing were the following individuals:

Jeff Young
Local 1521

Henry A. Arnett
Attorney Local 1521

Mark Hollingshead
Local 1521

Cathe Armstrong
Finance Director
Upper Arlington

Bonnie Cross
Assistant City Manager
Upper Arlington

Daniel A. Moore
Assistant City Attorney
Upper Arlington

Lyndon Nofziger
Local 1521

James Milo
Local 1521

Mike McCuster
Local 1521

Anthony Bales
Administrative Assistant
Office of City Manager
Upper Arlington

Stephen G. Cecehetti
Professor
The Ohio State University
and Consultant to
Upper Arlington

II

At the initial hearing the parties were offered and declined mediation. Subsequently, mediation was accepted by the parties.

III

The parties acknowledged that consideration was given to criteria listed in rule 4117-9-05(J) of the State Employment Relations Board.

IV

The only issue for the fact-finder/mediator in this matter was a reopener contained in the current contract between the City and Local 1521, specifically, section 28.3.2 which states:

Such adjustment shall be on the basis of a Regional Cost of Living Index mutually agreed upon by the City and the Union, which will be used to adjust said Articles and Sections thereof.

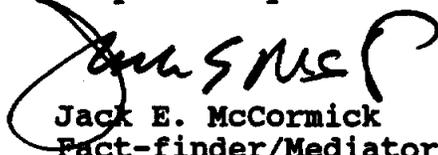
The parties were unable to agree on what was an appropriate basis for calculating a cost of living adjustment (COLA) for 1997.

The fact-finder took testimony and heard arguments from both parties who submitted briefs and numerous exhibits in support of their respective positions. At the close of the fact-finding the fact-finder strongly urged the parties to reconsider mediation of the matter inasmuch as the parties were only three-tenths (.3) of one percent (1%) apart in their respective proposals.

Following a brief caucus, the parties signed a tentative agreement in which they mutually agreed to submit to their respective membership an amendment to the Section quoted above that would provide for a cost of living increase for the bargaining unit in the amount of three percent (3.0%) for calendar year 1997 and, an additional three point three percent (3.3%) for calendar year 1998.

On Tuesday, April 30, 1997, Assistant City Attorney Dan Moore telephonically advised the fact-finder/mediator that the respective parties had formerly agreed to the tentative agreement as signed by the parties on April 21, 1997.

Respectfully submitted,


Jack E. McCormick
Fact-finder/Mediator
SSN: 279-38-0453