

I. PROCEDURAL BACKGROUND

This matter came on for hearing on July 17, 1998, before Jonathan I. Klein, appointed as fact-finder pursuant to Ohio Rev. Code Section 4117.14, and Ohio Admin. Code Section 4117-9-05, on January 29, 1998. The parties mutually agreed to extend the statutory deadline for issuance of the fact-finder's report and recommendations to and including July 20, 1998.

The fact-finding hearing was scheduled between the City of Westlake ("Employer"), and the International Association of Fire Fighters, Local 1814 ("Union"), in the Westlake City Hall located at 27216 Hilliard Boulevard, Westlake, Ohio 44145. The parties met several times prior to the fact-finding hearing in an effort to resolve their differences. Despite such negotiations, the parties remained unable to resolve the issues at impasse prior to the date of hearing.

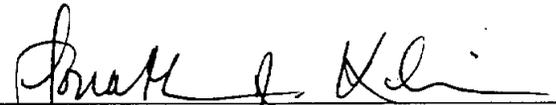
The single bargaining unit includes all full-time fire fighters, lieutenants and captains, with approximately forty employees in the bargaining unit. On the date of the fact-finding hearing, the parties, with the assistance of the fact-finder, commenced earnest negotiations directed toward possible settlement of the unresolved issues.

After further efforts at negotiation and mediation, the parties reached a mediated agreement on all outstanding issues as set forth in Attachment "A." The fact-finder, after consideration of the parties' respective positions, finds the mediated agreement to be fair, reasonable and in accordance with the applicable statutory criteria required by Ohio Rev. Code

Section 4117.14(C)(4)(e), as listed in 4117.14(G)(7)(a)-(f), and Ohio Admin. Code Section 4117-9-05(K)(1)-(6).

II. FINDINGS OF FACT AND FINAL RECOMMENDATION

It is this fact-finder's finding and final recommendation that the mediated agreement by and between the Employer and Union, appended hereto as Attachment "A," shall be implemented as a full and final settlement of all disputed issues between the parties.



JONATHAN I. KLEIN, FACT-FINDER

Dated: July 20, 1998

MEDIATED AGREEMENT

It is hereby agreed by and between the **City of Westlake ("Employer")** and **I.A.A.F. Local 1814 ("Union")** that in full resolution of all outstanding issues between the parties relating to the provisions of a successor Collective Bargaining Agreement ("CBA"), the following provisions shall be implemented.

1. Wage rates shall be increased by 3½%, 3½% and 4% each year of this Agreement, retroactive to March 1, 1998.
2. The health insurance shall be implemented pursuant to the provisions presently in effect for all other City employees retroactive to the date such plan became effective for other City employees. (Prescription co-pay to \$5.00 and \$10.00; eye care - \$40.00/2 years for exams and \$100.00/2 years glasses.)
3. Longevity shall become capped at 25 years - \$2,500.00.
4. Clothing allowance for 1998 - \$700.00 and 1999 - \$750.00 and thereafter.
5. Sick leave accumulation amended to 2000 hours consistent with police settlement.
6. In the event the Employer changes to a central dispatch, it will, upon demand, negotiate the effects of such change.
7. Step 2 of the Grievance Procedure shall be modified as appropriate.
8. All other provisions of the previous CBA shall remain in full force and effect.
9. The Union will withdraw the ULP charge it filed against the Employer regarding the health care change made by the Employer.
10. A life insurance benefit of \$10,000 shall be implemented as soon as practical.

This Agreement shall be incorporated into the Factfinder's Report and Recommendation resolving these negotiations and both parties waive any evidentiary hearings by the Factfinder.

FOR THE UNION:

George C. Limpert
[Signature]
[Signature]
[Signature]

Date: July 17, 1998

FOR THE EMPLOYER

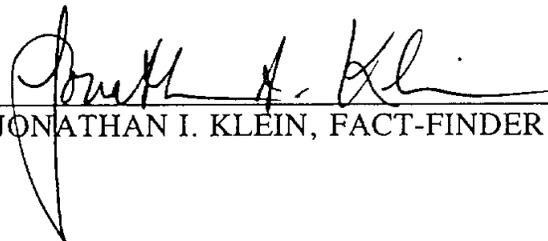
Dennis M. Clough
[Signature]
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Date: July 17, 1998

Attachment "A"

CERTIFICATE OF SERVICE

Originals of this Fact-Finding Report and Recommendation were served upon Jay L. Power, Ohio Association of Professional Fire Fighters, 30400 Ginger Lane, North Olmsted, Ohio 44070, and upon Gary C. Johnson, Esq., Johnson & Angelo, 3600 Terminal Tower, Tower City Center, Cleveland, Ohio 44113, and upon G. Thomas Worley, Administrator, Bureau of Mediation, Ohio State Employment Relations Board, 65 East State Street, Columbus, Ohio 43215-4213, each by express mail, sufficient postage prepaid, this 20th day of July, 1998.


JONATHAN I. KLEIN, FACT-FINDER