

STATE EMPLOYMENT RELATIONS BOARD
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**STATE OF OHIO
STATE EMPLOYMENT RELATIONS BOARD**

FACT-FINDING BETWEEN:) **SERB Case No.**
) **99-MED-09-0737**
CITY OF FOREST PARK,)
 Employer,) **Before Fact-finder**
) **Cynthia Stanley**
and)
) **Decision Issuing**
FOP, OHIO LABOR COUNCIL, INC.) **January 18, 2000**
 Employee Organization)

I. Hearing

The undersigned fact-finder, Cynthia Stanley, conducted a fact-finding hearing between the Fraternal Order of Police, Ohio Labor Council, Inc. ("FOP") and the City of Forest Park ("City") on January 7, 2000. Pursuant to the parties' extension, this recommendation is due no later than February 1, 2000.

The FOP was represented by Guy Kauffman, FOP Staff Representative. Also participating for the FOP were bargaining unit members Anthony A. Pope and John E. Buxsel. The City was represented by Paul Berninger of Wood & Lamping. Also participating for the City were Finance Director Elaine Stookey, Chief of Police Ken Hughes and HR Director Tye Smith.

Timely-filed pre-fact-finding submissions were reviewed and considered. The bargaining unit consists of approximately six members whose classification is police dispatcher/clerk.

II. Mediation

As the parties had resolved all issues except wages and number of steps on the wage scale, the undersigned felt information could most usefully be gathered through proceeding to hearing.

III. Criteria

The fact-finder has given consideration to the criteria set forth in Rule 4117-9-05(J) of the State Employment Relations Board.

IV. Issues and Recommendations

Each party's fact-finding proposal is incorporated herein by reference.

During the negotiation process all but one opened area were resolved. The articles resolved by the parties are:

- Article XIII Holidays
- XVII Insurance
- XXI Uniforms
- XXIII Allowances and Expenses
- XXIX Terms of Agreement

FOP withdrew two of the originally-opened articles:

- XVII Longevity Pay
- XXII Shift Differential

In addition, the parties inadvertently communicated regarding Appendix I, but neither party intended to open it. The parties tentatively agreed to existing language.

The fact-finder recommends that all tentative agreements and all unopened articles be made part of the successor agreement.

The unresolved article is Appendix II which relates to Article XI - Wages. The dispatcher/clerk position was originally secretarial in nature. When the new facility was built, the positions took on more dispatching and jailer duties. The employees feed and monitor prisoners in the eight-hour lock-up, and handle non-911 dispatching, including some local emergency calls. The positions require a certain amount of training. While they are now routinely called "dispatchers", the positions continue on the City rolls as "clerks".

FOP proposed two changes in Appendix II: (1) reducing the number of steps from seven to five, or from five years to three years to reach top pay; (2) annual raises of 3-3.5-4% for years 2000, 2001 and 2002 respectively.

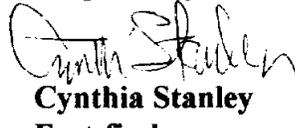
The union argues that the expansion of duties justifies significant increases, as current wages are more reflective of the clerical duties. How much of the employees' time is spent on the jailer duties is not agreed between the parties, and may vary by shift and day of week.

The City resists reduction in the number of steps, arguing the resulting pay increases would be unequal across the bargaining unit and that they are unjustified. City proposes increases of 2.5% effective upon ratification, 3% effective January 1, 2001, and 3% effective January 1, 2002.

City argues its offer exceeds current and projected cost of living increases. In 2000 and 2001, police officers will see an increase similar to City's proposal for the first two years of this contract. The dispatcher/clerk position has not been reclassified. Other employees of the City are on seven step salary schedules, with the exception of police officers. City argues that the impact of City's pension contribution is much greater in Forest Park than is reflected in FOP's comparables, because it is treated as a fringe benefit rather than deducted from the employees' salary.

The fact-finder recommends no change in the number of steps on the salary schedule for this contract term. She believes that issue must be further bargained. She recommends wage increases of 3-3-3.5% for years 2000, 2001 and 2002. The year 2000 increase would be retroactive to January 1, 2000.

Respectfully submitted,


Cynthia Stanley
Fact-finder

Certificate of Service

The undersigned hereby certifies that a true and accurate copy of the foregoing Fact-finder's Report and Recommendations was served on the following by overnight delivery this 18th day of January, 2000:

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Cynthia Stanley
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