

C

STATE EMPLOYMENT
RELATIONS BOARD

REPORT OF THE CONCILIATOR

2002 MAR -6 A 10: 21

:

IN THE MATTER OF

:

CONCILIATION PROCEEDINGS

:

BETWEEN

:

CIRCLEVILLE FIREFIGHTERS,
IAFF, LOCAL 1232

:

AND

:

CITY OF CIRCLEVILLE

:

SERB CASE # 01-MED-07-0638

HEARING

FEBRUARY 20, 2002
CITY HALL
CIRCLEVILLE, OHIO

CONCILIATOR

JOSEPH P. SANTA-EMMA

DATE OF REPORT

MARCH 5, 2002

I. APPEARANCES

A. On behalf of the City of Circleville

Marc Fishel, Esq.
Gayle Spangler, City Auditor
Ralph Starkey, Director of Human Resources
Jean Droste, Director of Public Safety

B. On behalf of the Union

James W. Osborn, Lieutenant, Circleville Fire Department
Anthony D. Cambell, Vice President, Local 1232
Gregory A. Tussing, President, Local 1232
Kirk A. Edgington, Member IAFF Local 1232
Henry Arnett, Attorney for IAFF Local 1232

II. EXHIBITS

A. Union Exhibits

1. Position Statement
2. Justification Paper
3. Sections of Agreement
4. Material on Wages
5. Sick Leave, Article 16
6. Position Statement on Compensation
7. Booklet "How Many Times Can the City Cry Wolf?"

B. Employer Exhibits

1. Employer's Sick Leave Proposal
2. Annual Sick Leave Buyout – Jurisdictional Comparison
3. Bargaining Unit Sick Leave Balance 2001
4. Employer Wage and EMT Supplement Proposal
5. Summary of Budget Cuts and Transfers
6. General Fund Revenue and Expenditures 1996-2002
7. Safety Forces Fund 1996-2002
8. General Fund Revenues and Expenditures 1993-2002
9. Safety Forces Revenues and Expenditures 1996-2002
10. 8/29/01 Memo from Auditor Gayle Spangler
11. Firefighter Wage Rates – Jurisdictional Comparison
12. Fire Lieutenant Wage Rates – Jurisdictional Comparison
13. Fire Captain Wage Rates – Jurisdictional Comparison
14. Firefighter Wage Rates – Jurisdictional Comparison
15. Fire Lieutenant Wage Rates – Jurisdictional Comparison
16. Fire Captain Wage Rates – Jurisdictional Comparison
17. Firefighter Wage Increases 1993-2000

18. Inflation Rates 1993-2001
19. Statewide Wage Increases 1991-2000
20. Fire Chief Wage Increases 1991-2000
21. Fire Department Total Employee Wages 2000-2001
22. Columbus Dispatch Article RE: Pickaway County
23. Statewide Wage Increases 2002-2003
24. EMT/Paramedic Pay Supplement

III. INTRODUCTION AND BACKGROUND

The parties to this conciliation hearing are The City of Circleville, hereinafter referred to as the City or the Employer, and the IAFF Local 1232, hereinafter referred to as the Union.

The Union represents some eighteen (18) employees: twelve (12) Firefighters; three (3) Lieutenants; and three (3) Captains.

The parties have been in a Collective Bargaining with a contract running from September 20, 1998 and expiring of September 22, 2001. Negotiations were intense with four (4) meetings that resolved some – but not all issues. There were fifteen (15) unresolved issues.

A Fact Finding Hearing was held on November 29, 2001 and the Factfinder rules on fifteen (15) issues.

The Factfinder's Report was rejected and the parties went on to the next step in the process under ORG 4117.

There are three (3) outstanding issues between the parties:

1. Wages
2. EMT/Paramedic Supplement
3. Sick Leave Sell Back

Issue 1 Wages

A. The Employer's Position

The Employer is proposing a four percent (4%) wage increase retroactive to September 30, 2001, and a three percent (3%) increase effective January 1, 2003.

The Contract will expire on December 31, 2003.

B. The Union's Position

The Union proposes a four percent (4%) wage increase retroactive to September 23, 2001 and a five percent (5%) increase effective September 22, 2002 to remain in effect through December 31, 2003.

C. Award

The award is to institute the Employer's position: a four percent (4%) wage increase retroactive to September 30, 2001, and a three percent (3%) wage increase effective January 1, 2003. The contract will expire on December 31, 2003.

Issue 2 EMT/Paramedic Supplement

A. The Union's Position

The Union proposes raising the wage differential paid to employees who have different EMT levels to \$0.30 - \$0.40 and \$0.50. These increases shall be retroactive to September 23, 2001.

B. The Employer's Position

The Employer proposes to increase the current pay supplement of \$0.25 for Basic, \$0.30 for Advanced, and \$0.35 for EMT/Paramedic by \$0.05 effective September 23, 2001, and to increase the EMP/Paramedic supplement by an additional \$0.05 per hour effective September 2, 2002.

C. Award

The award is to adopt the Union's position as stated above raising the wage differential paid to employees who have different EMT levels to \$0.30 - \$0.40 and \$0.50. These increases shall be retroactive to September 23, 2001.

Issue 3 Sick Leave Sell Back

A. The Union's Position

Maintain the current language of the contract.

B. The Employer's Position

The Employer's position is the same as presented to and ruled on by the Factfinder.

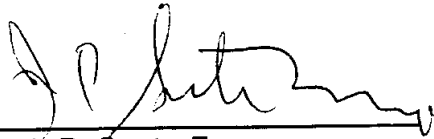
C. Award

The Employer's position is awarded.

The number of hours that could be sold back would be capped at one hundred (100) hours. In addition, in order to be eligible for this sell back, an employee would be obligated to have at least one thousand and forty (1040) hours of sick leave.

This concludes the unresolved issues section.

The new contract will consist of the old expired contract plus any changes tentatively agreed to and signed off by the parties and the issues as awarded in this report.



Joseph P. Santa-Emma
Conciliator

The undersigned certifies that a true copy of this report was sent by first class U. S. Postal Service on March 5, 2002.

SERB
65 E. State St.
Columbus, OH 43215

Henry A. Arnett
280 N. High St., Suite 1410
Columbus, OH 43215

Marc A. Fishel
400 S. Fifth St., Suite 200
Columbus, OH 43215



Joseph P. Santa-Emma
Conciliator
March 5, 2002