

STATE EMPLOYMENT
RELATIONS BOARD

2003 APR 25 A 10: 29

Conciliation Decision and Award

In the Matter of Conciliation

Between

Morrow County Sheriff

And

Fraternal Order of Police/Ohio Labor Council

SERB Case Nos: 02-MED-10-1098
02-MED-10-1099

MARCUS HART SANDVER, Ph.D. Conciliator

Date of Hearing: April 17, 2003

Date of Award: April 22, 2003

Representing the City

Mr. Edward S. Kim
Attorney at Law
Downes, Hurst, and Fishel
Columbus, OH

Representing the Union

Mr. Frank Arnold
FOP/OLC
222 E. Town St.
Columbus, OH 432 15

I. Background

This case involves a collective bargaining dispute between the Morrow County Sheriff (the employer) and the Fraternal Order of Police/Ohio Labor Council (the union). The parties met numerous times in the late fall of 2002 to resolve the dispute. Not all issues were resolved through negotiations. The dispute went to factfinding. The factfinding report was issued on February 24, 2003. The report was not accepted by both parties. The dispute was submitted to Conciliation in conformity with the regulations of Conciliation found in O.R.C. 4117. Marcus Hart Sandver was chosen by the parties as the Conciliator to the dispute. The date of March 17, 2003 was chosen by the parties as the day for the hearing. The pre-hearing briefs were received in a timely manner.

II. The Hearing

The parties met at 10:00 a.m. in the Morrow County 911 Center in Mt. Gilead, Ohio. The parties requested that the starting time for the hearing be delayed so the parties could negotiate the unresolved issues. The following issues were settled through negotiation:

Article 14 – Vacancy and Promotions

Article 16 – Hours of Work and Overtime

Article 29 – Insurance

The parties asked if they could submit amended final offers to the Conciliator. The Conciliator agreed. On Monday April 21 the Conciliator received the following amended joint final offers.

III. The Issues

1. Issue 1. Article 21. Wages

February 1, 2003 – Current Wages Remain in Place

August 1, 2003 – 1% wage increase

February 1, 2004 – 1% wage increase

August 1, 2004 – 2% wage increase

February 1, 2005 – 2% wage increase

August 1, 2005 – 3% wage increase

2. Issue 2. Article 32. Health and Safety

This article is to remain unchanged and to read as follows:

ARTICLE 32

HEALTH AND SAFETY

Section 32.1. Safety must be a prime concern and responsibility of both parties. Therefore, the Employer accepts the responsibility to attempt to provide safe working conditions, and working methods for his employees. The employees accept the responsibility to maintain tools, equipment and work areas in a safe and proper manner and accept the responsibility to follow all safety rules and safe working methods of the Employer. All working conditions believed to be unsafe must be reported to the Sheriff or his designee as soon as said unsafe working conditions are known. The Sheriff will investigate all reports of unsafe working conditions, and will attempt to correct any which are found, and see that the safety rules and safe working methods are followed by his employees.

Section 32.2. The Employer will provide a “post shooting trauma” counseling program to employees involved in work-related shooting incidents.

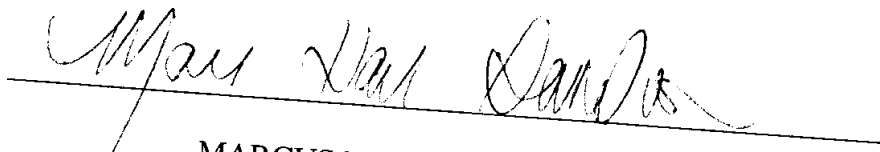
Section 32.3. Except for emergency situations, the Employer will schedule at least two (2) road units, including supervisors, for road patrol during the evening and night shift.

There shall also be a minimum of five (5) Corrections Officers and one (1) Sergeant/OIC scheduled to work the jail at all times, unless the men’s dorm exceeds sixty-five (65) inmates; then two (2) of the aforementioned Corrections Officers will be assigned to the men’s dorm.

IV. Decision and Award

The wage schedule outlined above and the Safety and Health language detailed above are awarded. It is also the intention of this award that all issues resolved through negotiations both on and before April 17, 2003 be included in this award.

V. This Conciliation Decision and Award was based on the procedure for Conciliation as found in O.R.C. 4117.14 and associated administrative rules as promulgated by S.E.R.B. This Decision and Award is based upon evidence presented to me by the parties in pre-hearing briefs and upon the amended joint position statements dated April 18, 2003.



MARCUS HART SANDVER, Ph.D.

Conciliator

Columbus, OH

April 21, 2003