

STATE EMPLOYMENT
RELATIONS BOARD

2005 OCT 20 A 11: 51

**IN THE MATTER OF CONCILIATION
BETWEEN**

CITY OF CAMPBELL)	CASE NOS. 05-MED-03-0245
)	05-MED-03-0246
)	
AND)	
)	
)	<u>AWARD</u>
FRATERNAL ORDER OF POLICE)	
OHIO LABOR COUNCIL, INC.)	

JAMES M. MANCINI, CONCILIATOR

APPEARANCES:

FOR THE FOP

**Pat Daugherty
Senior Staff Representative**

FOR THE CITY

**Michael D. Esposito
Michael L. Seyer
Clemens-Nelson Senior Consultants**

SUBMISSION

This matter concerns conciliation proceedings between the City of Campbell (hereinafter referred to as the Employer or City) and the Fraternal Order of Police, Ohio Labor Council, Inc. (hereinafter referred to as the FOP or Union). The State Employment Relations Board (SERB) duly appointed the undersigned as conciliator in this matter. Conciliation proceedings were held on September 19, 2005.

The conciliation proceeding was conducted pursuant to the Ohio Collective Bargaining Law as well as the rules and regulations of SERB. During the conciliation proceeding, this conciliator attempted mediation of the issues at impasse. This matter concerns a mid-term wage reopener. The applicable bargaining unit involved consists of all full-time police officers and sergeants. There are currently ten police officers and four sergeants in the bargaining unit.

Following mediation, the parties amended their final offers and agreed that this conciliator could issue his Opinion and Award based on the discussions which took place during mediation. The parties further agreed that this conciliator could issue his decision in summary fashion without any need for detailed explanation. The parties waived their right to have an evidentiary hearing held in this case.

This conciliator in rendering the following Awards of the issues at impasse has taken into consideration the criteria set forth in Ohio Revised Code Section 4117-14(G)(6)(7). This conciliator after carefully reviewing all of the arguments presented by the parties hereby submits his Opinion and Award with respect to each of the outstanding issues submitted.

1. WAGES

The Employer in its amended offer proposes that wages be frozen at the current levels for the final two years of the Agreement. This would be for years 2005 and 2006. The Union in its final offer as amended has also proposed that there be no wage increase provided to the bargaining unit for the duration of the Agreement.

ANALYSIS – This conciliator finds that current salaries for sergeants/detectives, patrolmen and cadets as set forth in Section 1 of Article 29 should remain the same for the duration of the parties' Agreement. Both parties recognize the fact that the City is in a state of fiscal emergency as declared by the State of Ohio Auditor's Office. As a result, each party in its amended final offer proposed that wages be frozen at the current levels for the final two years of the Agreement, 2005 and 2006. This conciliator is adopting as his final award the positions taken by the parties with respect to the rates of pay to be provided to bargaining unit members for the duration of the Agreement. That is, there is to be no change in the annual salaries which are currently set forth under Article 29, Section 1 of the Agreement.

AWARD

This conciliator hereby awards the positions which both parties have taken in this matter with respect to the wage reopener concerning rates of pay. It is awarded that current rates of pay shall remain the same without any change for the duration of the Agreement.

ARTICLE 29, WAGES

Section 1 Rates of Pay

The following reflects the base salaries for the respective members of the bargaining unit for the duration of the Agreement.

	<u>Annual Salary</u>	<u>Base Hourly Rate</u>
Sergeant/Detective	\$35,600.00	\$17.1154
Patrolman	\$31,900.00	\$15.3365
Cadet	\$27,400.00	\$13.1731

2. WEAPONS QUALIFICATION SUPPLEMENT

The City in its amended final offer proposes that for the final two years of the Agreement, there be a one dollar (\$1.00) per hour supplement added to the employee's base hourly rate of pay for weapons qualification. The Union in its amended proposal requests a weapons qualification supplement amounting to an additional one dollar and fifty cents (\$1.50) per hour over the life of the Agreement.

ANALYSIS – This conciliator has determined that the City's amended final offer is reasonable and is hereby awarded. The evidence submitted supports the City's contention that it does not have the ability to pay the supplement proposed by the Union. As a result, this conciliator's award is that any bargaining unit member who has qualified with his assigned duty weapon is to receive a single non-cumulative one dollar (\$1.00) per hour supplement added to his base hourly rate of pay.

A W A R D

This conciliator hereby adopts the City's proposal with respect to Weapons Qualification Pay.

ARTICLE 29, WEAPONS QUALIFICATION PAY

Section 7 Any bargaining unit member who is employed on the effective date of the conciliator's Award and who has qualified with his assigned duty weapon shall receive a single non-cumulative one dollar (\$1.00) per hour supplement added to his base hourly rate of pay.

CONCLUSION

In conclusion, this Conciliator hereby submits his Awards on the outstanding issues presented.

OCTOBER 17, 2005



JAMES M. MANCINI, CONCILIATOR