

**STATE OF OHIO
BEFORE THE OHIO STATE EMPLOYMENT RELATIONS BOARD**

IN THE MATTER OF CONCILIATION : SERB Case # 2017-MED-03-0447

BETWEEN THE :

CITY OF HUDSON : Date of Conciliation Hearing
Employer : June 19, 2018

And the : E. William Lewis, Conciliator

**Ohio Patrolmen's Benevolent :
Association(Full-time Patrol) :
Union :**

CONCILIATOR'S FINDING AND AWARD

APPEARANCES:

For the City:

For the Union:

**Fredrick Englehart, Attorney at Law
The Tower at Erieview
1301 East 9th St., Suite 3500
Cleveland, Ohio 44114-1821**

**Aikaterini (Kat) Houston, Attorney
Ohio Patrolmen's Benevolent Association
10147 Royalton Rd., Suite J, P.O.Box 338003
North Royalton, Ohio 44133**

AUTOHORITY

This matter was brought before Conciliator E. William Lewis, in keeping with applicable provisions of Ohio Revised Code 4117 and related rules and regulations of the Ohio State Employment Relations Board. The parties have complied in a timely manner with all procedural filings. The matter before the Conciliator is for

Consideration and directive based on merit and fact according to the provisions of the Ohio Revised Code 4117, particular those that apply to Safety Forces and mutual directives of the parties.

In attendance for the Union:

Ms. Aikaterini Houston	Advocate
Ms. Susan Bungourd	Counsel(OPBA)
Officer Tyson Dinda	Patrol Officer
Officer Brian Logue	Patrol Officer
Officer Dan Worley	Patrol Officer

In attendance for the City:

Mr. Fredrick Englehart	Advocate
Mr. Max Rieker	Counsel
Ms. Jane Howington	City Manager
Mr. Jeff Knoblauch	Finance Director

BACKGROUND:

The City of Hudson, hereinafter known as the City/Employer, provides municipal and safety services to approximately 22,000 citizens. The Ohio Benevolent Patrolmen’s Association, hereinafter known as the Union/OPBA represents a bargaining unit of approximately twenty-two Patrol Officers.

The parties met several times to bargain on their successor Contract, which expired on December 31, 2017. They were unable to reach resolution. Therefore, they petitioned The State Employment Relations Board(SERB) to appoint a Fact Finder.

A Fact-Finding Hearing was held on March 5, 2018. The Fact Finder issued her Report on March 30, 2018. The Factfinding Report was not accepted by the OPBA, and they proceeded to request the appointment of a Conciliator.

On May 1, 2018, this conciliator was appointed by SERB. Upon review of the Fact-Finding Report and a discussion with the parties, the Conciliation Hearing was scheduled for June 19, 2018. All Pre-Hearing submittals and filings were complied with.

The Pre-Hearing position statements of the parties identified the following unresolved issues:

Article 7, Section 7.9 Training

Article 7, Section 7.11 Shift Differential Eligibility

Article 8, Section 8.1 Annual Base Pay, and Section 8.1a Lump Sum Payment

Article 8, Section 8.4 Out of Classification Work.

The Conciliation Hearing was held at the City of Hudson's municipal facility, located at 115 Executive Parkway, Hudson, Ohio. The Hearing commenced at 10:00am. At the commencement of the Hearing the parties mutually agreed to attempt mediation on the remaining issues. Thus, we adjourned the evidentiary Hearing and began mediation. All unresolved issues were resolved through mediation. At the conclusion of mediation we reopened the Conciliation Hearing and it was agreed that the conciliator would issue his Report and Award by June 27, 2018. The parties stipulated that : the conciliator was to issue his Award in accordance with

the signed Tentative Agreements reached in mediation. Some of the issues identified in the Tentative Agreements (SETTLEMENT TERMS) were not issues addressed in mediation, but were agreed to earlier between the parties, but unsigned. As a result of the SETTLEMENT TERMS, Attachments 1, 1a, and 1b, the parties agreed to waive ORC 4117.1(G)(11).

According to the Articles identified as unresolved with the conciliator, the following is Awarded per our mediated settlement and the parties mutually agreed to stipulation:

Article 7, Section 7.5

AWARD: Language according to Attachment #1.

Article 7, Section 7.9 Training

AWARD: Language according to Attachment #1.

Article 7, Section 7.11 Shift Differential Eligibility.

AWARD: Language according to Attachment #1.

Article 8, Section 8.1 Annual Base Pay

AWARD: Language according to Attachment #1a.

Article 8, Section 8.4 Out of Classification Work

AWARD: Language according to Attachment #1a.

Article 12, Section 12.2 Bereavement Leave

AWARD: Language according to Attachment #1b.

Article 33 DURATION

AWARD: Language according to Attachment #1b.

CONCLUSION

The Conciliation Awards contained herein were arrived at after giving consideration to positions of, and arguments of the parties, our mediation discussions and agreements, and criteria enumerated in ORC 4117.14(G)(7). I also incorporate by reference into this Report, the tentative agreements of the parties reached through negotiations, and referenced in the Fact Finder's Report, and the language of the expired Agreement which remains unchanged by the parties.

This concludes the Conciliation Report.

Respectfully submitted and issued this 27th day of June 2018.

E. William Lewis
Conciliator

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of this Conciliator's Report was served by e-mail Mr. Fredrick Englehart, Attorney at Law, Walter – Haverfield LLP for the City of Hudson, 1301 East 9th St., Suite 3500, Cleveland, Ohio 44114, fenglehart@waltwrhav.com and Aikaterini(Kat) Houston, Esq., Ohio Patrolmen's Benevolent Association, 10147 Royalton Road, Suite J, North Royalton, Ohio 44133, khouston@opbs.com and upon the Ohio State Employment Relations Board (via Donald Collins, General Counsel, Bureau of Mediation—State Employment Relations Board, 65 East State Street, Suite 1200, Columbus, Ohio 43215) also by e-mail this 27th day of June 2018.

E. William Lewis
Conciliator

Fri, 06/29/2018 10:01:59 AM SERB