

February 2, 1998

FEB 2 12 43 PM '98

IN THE MATTER OF:

**HAND DELIVERED**

**FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC.  
and  
THE CITY OF MIDDLETOWN**

Case No(s). **97-MED-10-1128 (Corrections)**

**CONCILIATION  
PREHEARING STATEMENT OF THE FOP, OHIO LABOR COUNCIL INC.**

Mr. Marcus Sandver  
317-C Hagerty Hall  
Ohio State University  
Columbus, Ohio 43210

Dear Mr. Sandver:

The State Employment Relations Board has requested that I supply you with the following information;

- 1) Name of Party: Fraternal Order of Police, Ohio Labor Council, Inc.

Principal Representative(s):

For purposes of negotiation: Guy Kauffman  
Staff Representative  
163 Ellington Road  
Dayton, Ohio 45431  
(513) 252-3480

For purposes of Administration: Catherine A. Brockman  
Assistant Exec. Director  
222 East Town Street  
Columbus, Ohio 43215  
(614) 224-5700

2) Description of the Unit:

Included: Corrections Officers, Middletown P.D.

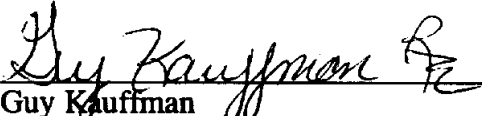
Excluded: Chief, Sergeants and above, Patrol, all other employees.

Approximate number of employees in the bargaining unit: 12

3) A copy of the current collective bargaining agreement is included.

4) The unresolved issue concerns a wage re-opener, Article XXVII, the Union's position is attached.

Sincerely,

  
Guy Kauffman  
Staff Representative

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the FOP's Position Statement was sent by regular U.S. mail this 15<sup>th</sup> day of February 1998 to Mr. Leslie Landen, One City Center Plaza, Middletown, Ohio 45042.

  
Guy Kauffman

## EXHIBIT A

### UNION PROPOSAL

In view of the fact that the City of Middletown, after several meetings with the Union, has made it perfectly clear that they will not consider reclassification of Corrections Officers to a higher pay grade at this time, plus the fact that the membership rejects the "sign on bonus concept", the Union proposes a 3.71 percent across the board pay raise effective January 1, 1998. There is no additional cost to the City in 1998 above the 3.00 percent raise plus the \$167.00 sign on bonus that they agreed to previously. But for a few pennies (8¢ per employee) the cost to the City, as evidenced in exhibit C, for 1998 is the same.

Respectfully submitted,

FOP, OHIO LABOR COUNCIL, INC.

**EXHIBIT B**

**ARTICLE XXII**

**WAGES**

1. Corrections Officers - There are hereby established the following bi-weekly pay ranges for Corrections Officers:

**Current Wages:**

Prob	A	B	C	D	E	F	G
759.24	794.88	832.24	871.52	912.36	955.36	1000.16	1049.84

Effective January 1, 1998 (3.71% increase)

Prob	A	B	C	D	E	F	G
787.41	824.37	863.12	903.85	946.21	990.80	1037.27	1088.79

### Conciliator

Sir,

One of the most salient points of evidence presented by the employer was that the Dispatchers are paid more than Corrections Officers primarily because Corrections Officers chose to take more in fringe benefits in past negotiations than did the Dispatchers. The fact is, that whatever advantage the Corrections Officers had over the Dispatchers in fringe benefits, imagined or real, have been eroded in subsequent contracts to the point where they are almost non-existent. The only significant disparities that remain are in two areas. One being sick leave conversion and the other being clothing allowance. Sick leave conversion for the Dispatchers is presently limited to a maximum of 4 days at a conversion rate of 24 hours sick leave for 8 hours vacation. Sick leave conversion for the Corrections Officers is presently limited to a maximum of 8 days at a conversion rate of 20 hours sick leave for 8 hours vacation. The clothing allowance for Dispatchers is presently \$175.00 paid every six months. The clothing allowance for Corrections Officers is presently \$230.00 paid every six months. As of January 1, 1998 the Dispatchers will receive the same shift differential pay as the Corrections Officers. Also as of January 1, 1998 the Dispatchers will receive 3 weeks vacation after 7 years service which is the same as the Corrections Officers receive. As the fringe benefits gap between the two units closes to little or no difference, the pay gap continues to widen. The Dispatchers at present are paid \$1,286.48 more per year than

is paid to the Corrections Officers and the pay gap could become even larger at the same time that the fringe benefit differential between the two units has been virtually eliminated. Utilizing this concept, which is applied by the City, one could state that at one time the difference in the fringe benefits between the two units was created essentially by neutrals and not something the City allowed during contract negotiations as they might insinuate. The reason the Union is pointing these facts out to the conciliator is that these facts were not presented to the Factfinder in rebuttal to the City's position that "the only reason the Dispatchers are paid more than the Corrections Officers is because the Corrections Officers chose to take fringe benefits instead of pay increases. Since the fringe benefits that were awarded to the Corrections Officers by neutrals, that in some cases surpassed the fringe benefits held by the Dispatchers, have been negated by later agreements and awards, the Union believes that the difference in pay that exists between the two groups now should be addressed. This coupled with the City's historical willingness to pay these two units on an equal basis which was only interrupted by their perception of why a benefits gap existed for a short time. The benefits gap has all but disappeared and they should feel the same way about the pay gap that now exists in favor of the Dispatchers. The proposal that the Union is presenting to the conciliator calls for a 3.71% across the board increase, effective January 1, 1998, which will not close the pay gap between the two units but instead reflects

the membership's desire to have an increase in their base rate rather than have a one time sign-on bonus which holds no long-term benefit to the membership, but is simply politically correct for the City. Being held hostage to other groups within the City has no relationship to fairness but is more related to the so-called "Patterns of Bargaining" which restrict wage increases to all other bargaining and non bargaining units within the City. This defeats the intent of collective bargaining by restricting wage increase to an internal comparable rather than an external comparable based on units performing similar functions, duties and responsibilities. In factfinding the City agreed to a 3.0% raise along with a signing bonus of \$167.00 per employee. This was worked out by the Factfinder and the Union reluctantly agreed to take this proposal, by the Factfinder, to the membership for a vote. This proposal was overwhelmingly rejected by the membership. The reason for this rejection was given in the beginning of this statement.

The total cost to the City for the 3.0% increase and the \$167.00 per member sign-on bonus would have been as follows:

\$167.00 times 12 equals	\$2,004.00
3.0% increase	8,471.67

Total cost to City equals	\$10,475.67	(cost for 1998)
Cost of 3.71% increase	10,476.63	(cost for 1998)

Difference between the two options equal .08¢ per employee/year

Our comparables support a 5.4% increase . Assuming the three comparables that we use that do not have 1998 wages set receive at least a 3.0% increase in 1998, our comparables support a

6.3% increase for 1998.

On page three of the Factfinders report, the Factfinder concludes from the City's testimony that the City is receptive to a review of the job classifications within the City including the changes which have occurred with the responsibilities and duties of Corrections Officers. However the City claims that this type of job audit analysis takes years to perform and the City must analyze this classification in the context of all the other classifications in order to be equitable. The connotations of this statement do not bode well for Corrections Officers. This statement is vague to say the least and could mean almost anything. In effect, of course, the City has committed to nothing. We, the Union, will put are faith in a 3.71% increase effective January 1, 1998.

Thank you for your consideration and attention in this matter.

Respectfully submitted,

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