

**STATE EMPLOYMENT RELATIONS BOARD
GUIDELINES FOR SEEKING ENFORCEMENT OF SETTLEMENT AGREEMENTS**

MOTION TO ENFORCE SETTLEMENT AGREEMENT:

Settlement agreements resulting from mediation before the State Employment Relations Board are binding on the parties and are enforceable. SERB retains jurisdiction over these matters for purposes of enforcement. Any party to a SERB-mediated settlement agreement that believes another party has not fully complied with the terms of the settlement agreement may file with SERB a Motion to Enforce Settlement Agreement.

CONTENTS OF MOTION TO ENFORCE SETTLEMENT AGREEMENT:

1. Case caption identifying the parties and case number(s).
2. Memorandum in Support containing the following items:
 - a. Specific details describing how the other party has not complied with the terms of the settlement agreement.
 - b. Accompany the specific details with supporting affidavits and documentation.
 - c. Attach a copy of the settlement agreement.
3. Proof of service on the other parties to the settlement agreement or their representatives.

MEMORANDUM IN RESPONSE TO MOTION TO ENFORCE SETTLEMENT AGREEMENT:

Pursuant to Ohio Adm. Code rule 4117-1-04, within ten days of service of the Motion to Enforce Settlement Agreement, the party that is alleged to not be in compliance with the terms of the settlement agreement may file with SERB and serve upon the other parties to the settlement agreement a Memorandum in Response to Motion to Enforce Settlement Agreement.

CONTENTS OF MEMORANDUM IN RESPONSE TO MOTION TO ENFORCE SETTLEMENT AGREEMENT:

1. Case caption identifying the parties and case number(s).
2. Memorandum in Support containing the following items:
 - a. Specific details describing the responding party's position on its compliance with the terms of the settlement agreement.
 - b. Specific details describing whether the moving party is in compliance is not relevant unless it impacts non-moving party's ability to comply with the terms of the settlement agreement.
 - c. Accompany the specific details with supporting affidavits and documentation.

SHOW CAUSE HEARING:

Upon a review and/or investigation of the Motion to Enforce Settlement Agreement and any responses filed by the parties, SERB may direct the case to a show cause hearing to determine whether the terms of the settlement agreement have been complied with and, if not, what actions must be taken to be in compliance.