

State Employment Relations Board
Board Meeting Minutes
December 11, 2008

The State Employment Relations Board met on December 11, 2008, at 10:00 a.m., at 65 East State Street, 12th Floor, Columbus, Ohio. Present at the meeting were Chairperson N. Eugene Brundige, Vice Chairperson Michael G. Verich, and Board Member Robert F. Spada.

I. APPROVAL OF MINUTES OF THE NOVEMBER 20, 2008 BOARD MEETING:

Board Member Spada moved that the Board approve the minutes for the November 20, 2008 Board meeting. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
 Affirmed X Denied _____

II. MEDIATION AND FACT-FINDING MATTERS AT ISSUE:

1. Case 07-MED-07-0730 International Association of Fire Fighters,
Local 2932 and Truro Township Trustees
(Franklin County)

On July 20, 2007, the Employee Organization filed a Notice to Negotiate as the exclusive representative for a bargaining unit of all regular, full-time firefighter classifications of Lieutenant and Firefighter of the Township. The collective bargaining agreement expired December 31, 2007.

The Township has filed a "Notice to the State Employment Relations Board That the Township No Longer Voluntarily Recognizes the International Association of Firefighters, Local 2932 Under Chapter 4117 of the Ohio Revised Code." According to the Township's information, which is from the most recent federal decennial census, Truro Township has a total unincorporated population of 1,416.

The Employee Organization is a Board-certified exclusive representative. The Board has not received any representation filing seeking to amend or modify that certification. As a result, dismissal of the Notice to Negotiate is premature, and it is recommended that the Board sua sponte grant a stay of negotiations until the representation issue is resolved.

Vice Chairperson Verich moved that the Board sua sponte grant a stay of the negotiations until the status of the Township as a "public employer" under Ohio Revised Code §4117.01 is resolved. Board Member Spada seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
 Affirmed X Denied _____

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2. Case 08-MED-10-1266 Fraternal Order of Police, Ohio Labor Council, Inc. and Metro Parks Serving Summit county

The Rival Employee Organization filed a Petition for Representation Election, in Case 2008-REP-11-0180, seeking to replace the Incumbent Employee Organization as the exclusive representative for Full-time and Part-time Park Rangers of the Employer.

The Incumbent Employee Organization filed a Notice to Negotiate concerning negotiations with the Employer. The Employer then filed a motion to stay negotiations pending resolution of the related representation case. The motion was unopposed.

Board Member Spada moved that the Board grant the Employer's motion to stay negotiations in Case 2008-MED-10-1266 pending disposition of Case 2008-REP-11-0180, and expedite the processing of the representation case. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE:	<u> Aye </u>	VERICH:	<u> Aye </u>	SPADA:	<u> Aye </u>
Affirmed	<u> X </u>		<u> Denied </u>	<u> </u>	

III. REPRESENTATION MATTERS AT ISSUE:

1. Case 08-REP-02-0024 Ohio Association of Public School Employees (OAPSE)/AFSCME Local 4, AFL-CIO and Seneca East Local School District Board of Education

The Employee Organization filed a Request for Recognition. The Employer responded by filing objections and a Petition for Representation Election. The Employer also filed a Motion for Leave to Amend Petition for Representation Election. The Employee Organization filed a Motion for Certification as Exclusive Representative. The Board denied the Employer's Motion for Leave to Amend Petition for Representation Election as moot, denied the Employee Organization's Motion for Certification as Exclusive Representative, directed the case to hearing to determine an appropriate bargaining unit and for all other relevant issues, and directed the parties to mediation.

As a result of mediation efforts by the Hearings Section, the parties have resolved all issues. Pursuant to the terms of the settlement agreement, which included the Employer's willingness to voluntarily recognize the Employee Organization, the Employee Organization has filed an amended Request for Recognition. The Employer has complied with the posting requirements. The substantial evidence is sufficient, and no objections have been filed.

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Vice Chairperson Verich moved that the Board certify the Employee Organization as the exclusive representative of all employees in the bargaining unit. Board Member Spada seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

2. Case 08-REP-07-0109 Fraternal Order of Police, Ohio Labor Council, Inc. and City of Piqua

The Employee Organization filed a Request for Recognition. The Employer responded by filing objections. A conference call was conducted; however, the parties did not reach an agreement concerning an appropriate bargaining unit. The Board directed the case to hearing. The case was mediated by the Representation Section. As a result of mediation, the Employer filed a motion to withdraw the objections. The Employer complied with the posting requirements.

Board Member Spada moved that the Board grant the Employer's motion to withdraw and certify the Employee Organization as the exclusive representative of all employees in the relevant bargaining unit. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

3. Case 08-REP-10-0169 Teamsters Local Union No. 92 and Lawrence County Recorder

The Employee Organization has filed a Request for Recognition. The substantial evidence is sufficient, and no objections have been filed. The Employer has complied with the posting requirements.

Vice Chairperson Verich moved that the Board certify the Employee Organization as the exclusive representative of all employees in the relevant bargaining unit. Board Member Spada seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

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4. Case 08-REP-10-0176 Willoughby Hills Fire Fighters Local 3149, IAFF and City of Willoughby Hills

The parties have jointly filed a Petition for Amendment of Certification seeking to amend the existing unit to reflect certain negotiated changes. The proposed amendment appears to be appropriate.

Board Member Spada moved that the Board approve the jointly filed petition and amend the unit accordingly. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

5. Case 08-REP-09-0165 C-TEC Teachers Education Association, OEA/NEA and Career and Technology Education Centers of Licking County (C-TEC)

The parties have jointly filed an amended Petition for Amendment of Certification seeking to change the names of the Employer and the Employee Organization. The proposed amendment appears to be appropriate.

Vice Chairperson Verich moved that the Board approve the jointly filed petition and amend the certification accordingly. Board Member Spada seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

6. Case 08-REP-11-0179 Union Township Professional Fire Fighters, IAFF, Local 3412 and Union Township, Clermont County

The parties have jointly filed a Petition for Amendment of Certification seeking to amend the existing unit to include Captains. The proposed amendment appears to be appropriate.

Board Member Spada moved that the Board approve the jointly filed petition and amend the unit accordingly. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

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- 7. Case 08-REP-10-0167 Fraternal Order of Police, Ohio Labor Council, Inc. and Cleveland State University
- 8. Case 08-REP-11-0177 Fraternal Order of Police, Ohio Labor Council, Inc. and Lima Police Department

The Employee Organization has filed Opt-In Requests for Recognition seeking to represent certain employees of the Employers and add them to existing units. The Employee Organization has now filed motions to withdraw.

Vice Chairperson Verich moved that the Board grant the motions to withdraw and dismiss without prejudice the Opt-In Requests for Recognition. Board Member Spada seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

- 9. Case 08-REP-10-0174 Randall E. VanZant and Ohio Council 8, American Federation of State, County and Municipal Employees, AFL-CIO and City of Vandalia

The Petitioner has filed a Petition for Decertification Election seeking to decertify the Incumbent Employee Organization. The Incumbent Employee Organization has filed a Disclaimer of Interest. The parties confirm that no contract exists.

Board Member Spada moved that the Board construe the Disclaimer of Interest as a Motion to Revoke Certification, grant the motion, revoke the Employee Organization's certification, and dismiss as moot the Petition for Decertification Election. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

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10. Case 08-REP-03-0050 Teamsters Local Union No. 284 and Springfield Metropolitan Housing Authority

The Employee Organization has filed a Petition for Clarification of Bargaining Unit seeking to clarify the existing unit to include Asset Managers, Assistant Asset Managers, Hope 6 Case Managers, and a Section 8 clerical employee. The Employer has responded by filing a position statement opposing the clarification. Several conference calls have been conducted. The parties have agreed to all issues concerning the Asset Managers and the Section 8 clerical employee. They have not resolved their dispute regarding the Assistant Asset Managers and Hope 6 Case Managers. The investigator has requested mediation dates from the parties.

Labor Relations Specialist Jones recommended that the Board direct this case to hearing to determine bargaining-unit status of the employees in question, and direct the parties to mediation.

Chairperson Brundige moved that the Board direct the parties in this matter to mediation, postpone further consideration for a period of 45 days, and direct the Representation Section to report back to the Board on the progress of the mediation. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and stated that a number of cases had previously been directed to hearing even though they did not have questions of fact or law that could be addressed in a hearing; instead, the Board was directing the parties to mediation to attempt to resolve the parties' issues. Chairperson Brundige then called for the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

11. Case 08-REP-03-0054 Fraternal Order of Police, Ohio Labor Council, Inc. and Ohio Council 8, American Federation of State, County and Municipal Employees, Local 2678, AFL-CIO and Cuyahoga Community College

Board Member Spada moved that the Board table this matter. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

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12. Case 08-REP-09-0151 The Hourly Employees of the Logan County Highway Department and Logan County Engineer's Office

The Rival Employee Organization filed a Petition for Representation Election seeking to displace the Incumbent Employee Organization, which is the Board-certified exclusive representative of certain employees of the Employer. The Incumbent Employee Organization filed a Disclaimer of Interest. The remaining parties entered into a Consent Election Agreement seeking an election on February 4, 2009.

Vice Chairperson Verich moved that the Board approve the Consent Election Agreement, direct an election to be conducted on February 4, 2009; and grant the Incumbent Employee Organization's disclaimer of interest insofar as it shall not appear as a choice on the ballot. Board Member Spada seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

13. Case 08-REP-09-0160 Ohio Council 8, American Federation of State, County and Municipal Employees, AFL-CIO and Belmont County Sanitary Sewer District and Belmont County Board of Commissioners
January 22, 2009

14. Case 08-REP-10-0168 Ohio Patrolmen's Benevolent Association and Cuyahoga County Sheriff's Office
January 27, 2009

15. Cases 08-REP-09-0157 Fraternal Order of Police, Ohio Labor
08-REP-09-0164 Council, Inc. and Teamsters Local No. 92 and City of Alliance
February 3, 2009

16. Case 08-REP-09-0163 Teamsters Local Union No. 348 and Ohio Patrolmen's Benevolent Association and City of Niles
February 10, 2009

All parties have executed and filed the Consent Election Agreements.

Board Member Spada moved that the Board approve the Consent Election Agreements and direct elections to be conducted on the dates indicated. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

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17. Case 08-REP-07-0113 Central State University Safety Association and Fraternal Order of Police, Ohio Labor Council, Inc. and Central State University

- There were 12 ballots cast
- There were 0 challenged ballots
- No Representative received 0 votes
- Fraternal Order of Police, Ohio Labor Council, Inc. received 0 votes
- Central State University Safety Association received 12 votes and prevailed in this election.

18. Case 08-REP-09-0145 Ohio Council 8, American Federation of State, County and Municipal Employees, AFL-CIO and City of Athens

- There were 5 ballots cast
- There were 0 challenged ballots
- No Representative received 0 votes
- Ohio Council 8, American Federation of State, County and Municipal Employees, AFL-CIO received 5 votes and prevailed in this election.

Vice Chairperson Verich moved that the Board certify the election results and certify each prevailing employee organization as the exclusive representative of all employees in the relevant bargaining unit. Board Member Spada seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

19. Case 08-REP-09-0153 Teamsters Local Union No. 957, General Truck Drivers, Warehousemen, Helpers, Sales and Service, and Casino Employees and City of Clayton

- There were 8 ballots cast
- There were 0 challenged ballots
- Teamsters Local Union No. 957, General Truck Drivers, Warehousemen, Helpers, Sales and Service, and Casino Employees received 4 votes
- No Representative received 4 votes and prevailed in this election.

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20. Case 08-REP-08-0125 Brian S. Chalmers and Communications Workers of America, Local 4340 and Cuyahoga County Commissioners

- There were 10 ballots cast
- There were 0 challenged ballots
- Communications Workers of America, Local 4340 received 4 votes
- No Representative received 6 votes and prevailed in this election.

Board Member Spada moved that the Board certify that the employees in each unit have chosen to have no exclusive representative for the purposes of collective bargaining. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

IV. ADMINISTRATIVE LAW JUDGE RECOMMENDATIONS AT ISSUE:

1. Case 07-ULP-01-0007 SERB v. Tuscarawas Township Board of Trustees, Stark County

Charging Party (General Truck Drivers and Helpers Local Union No. 92, affiliated with the International Brotherhood of Teamsters) filed an unfair labor practice charge alleging that Respondent Township violated Ohio Revised Code §§ 4117.11(A)(1), (A)(3), (A)(5), and (A)(6). The Board determined that probable cause existed to believe that the Township violated Ohio Revised Code §§ 4117.11(A)(1), (A)(5), and (A)(6) by failing to follow the contractual grievance procedure; the Board dismissed all other aspects of the charge, including the Ohio Revised Code § 4117.11(A)(3) allegation, for lack of probable cause.

The parties filed joint stipulations of fact and joint exhibits in lieu of an evidentiary hearing. Subsequently, all parties filed post-hearing briefs. The Administrative Law Judge issued a Proposed Order, recommending that the Board find that the Township committed an unfair labor practice in violation of Ohio Revised Code §§ 4117.11(A)(1), (A)(5), and (A)(6) when it failed to follow the contractual procedure regarding discipline and grievances.

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Vice Chairperson Verich moved that the Board amend Conclusion of Law No. 3 to read: "The Tuscarawas Township Board of Trustees, Stark County, violated §§ 4117.11(A)(1), and (A)(6), but not (A)(5), when it failed to follow the contractual procedure regarding discipline and grievances."; adopt the Findings of Fact and Conclusions of Law, as amended, in the Proposed Order, finding that the Respondent violated O.R.C. §§ 4117.11(A)(1) and (A)(6), but not (A)(5), by failing to follow the contractual procedure regarding discipline and grievances; issue a cease-and-desist order with a Notice to Employees ordering the Township to take the following action: (1) immediately schedule the termination grievances of William Faber and Jerry Knerr for arbitration and arbitrate the grievances in accordance with the procedures set forth in the 2004-06 Agreement; (2) post the Notice to Employees furnished by the Board, which states that the Township shall cease and desist from the actions set forth in paragraph A and shall take the affirmative action set forth in paragraph B, for sixty (60) days in all usual and customary posting locations where employees represented by the General Truck Drivers and Helpers Local Union No. 92 work; and (3) within twenty calendar days from issuance of the Order, notify the Board in writing of the steps that have been taken to comply therewith. Opinion to follow. Board Member Spada seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

2. Case 08-ULP-05-0172 SERB v. Olmsted Township Trustees, Cuyahoga County

Charging Party filed an unfair labor practice charge against the Respondent. The Board found probable cause to believe a violation had occurred, authorized the issuance of a complaint, and referred the matter to an expedited hearing.

Counsel for Complainant filed a motion to dismiss the case because the parties had entered into a settlement agreement that resolved all of the underlying issues in the unfair labor practice charge and the complaint. Attached to the motion was a copy of the settlement agreement.

Board Member Spada moved that the Board grant Counsel for Complainant's motion to dismiss, dismiss the complaint, and dismiss with prejudice the unfair labor practice charge. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

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3. Case 07-ULP-04-0156 SERB v. City of Cleveland and Mayor Frank Jackson

Charging Party filed an unfair labor practice charge against Respondents. The Board found probable cause to believe a violation had occurred, authorized the issuance of a complaint, referred the matter to hearing, and directed the parties to the unfair labor practice mediation process. A Complaint and Notice of Hearing was issued.

Charging Party filed a Motion to Stay the Proceeding in this case to allow Charging Party and Respondents "time to resolve their differences which may obviate the need for SERB to prosecute and take further action with respect to this case." Attached to this motion was a copy of an agreement signed by Charging Party and Respondents in which Charging Party agreed to file a motion to stay the proceedings in this case. The motion was unopposed.

Charging Party had filed with SERB an application for subpoena for Mayor Frank Jackson to require him to appear for a video deposition in this matter. Respondents filed a motion to quash the requested subpoena. The Administrative Law Judge issued a Procedural Order denying the motion to quash. After Charging Party filed its Motion to Stay the Proceedings, Respondents filed a motion to suspend time to move for reconsideration of the denial of the motion to quash. The motion was unopposed.

Vice Chairperson Verich moved that the Board grant Charging Party's motion to stay and Respondents' motion to suspend time to move for reconsideration of the denial of the motion to quash. Board Member Spada seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE:	<u>Aye</u>	VERICH:	<u>Aye</u>	SPADA:	<u>Aye</u>
Affirmed	<u>X</u>	Denied	<u> </u>		

4. Case 08-REP-01-0010 Reed Rohr and Butler Township Professional Firefighters, IAFF Local 4491 and Butler Township Fire Department, Montgomery County

On January 23, 2008, Reed Rohr filed a Petition for Decertification Election under Ohio Revised Code § 4117.07, seeking to decertify the Incumbent Employee Organization as the exclusive representative for the bargaining unit of employees of the Employer. On January 3, 2008, Mr. Rohr filed an amended petition. The Incumbent Employee Organization filed objections to the amended petition. On May 8, 2008, the Board directed the matter to hearing to determine if the amended petition is barred per contract; and if not barred, who would be eligible to vote in a decertification election and for all other relevant issues.

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On June 24, 2008, the parties submitted the case for decision on Joint Stipulations of Fact and Joint Exhibits in lieu of a hearing. Subsequently, the Incumbent Employee Organization and the Employer filed legal briefs. On November 3, 2008, the Administrative Law Judge issued a Recommended Determination, recommending that the Board adopt the Findings of Fact and Conclusions of Law in the Recommended Determination and stay further action on the Petition for Decertification Election until such time as the employment status of Mr. Holfinger, Ms. Rice, and Mr. Nihizer is resolved. No exceptions were filed to the Recommended Determination.

Mr. Holfinger, Ms. Rice, and Mr. Nihizer have each filed unfair labor practice charges against the Employer. The Board has found probable cause in each of the cases and directed the matters to hearing. The two charges filed by Ms. Rice and Mr. Nihizer were consolidated for hearing and are currently scheduled for hearing in late January 2009. Mr. Holfinger's case is also pending in the Hearings Section, and it will be scheduled for hearing shortly. Adopting the recommendation to stay the case until the employment status of Mr. Holfinger, Ms. Rice, and Mr. Nihizer is resolved will not prejudice any of the parties.

Board Member Spada moved that the Board stay further action on the Petition for Decertification Election until such time as the employment status of Mr. Holfinger, Ms. Rice, and Mr. Nihizer is resolved. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and wanted to confirm that the stay is in reference to the Petition for Decertification Election, and that the merits of this matter would be ruled on at a later time. General Counsel Russ Keith confirmed that was correct. Chairperson Brundige called for the vote.

Vote: BRUNDIGE:	<u> Aye </u>	VERICH:	<u> Aye </u>	SPADA:	<u> Aye </u>
Affirmed	<u> X </u>	Denied	<u> </u>		

5. Case 07-ULP-10-0534 Stark County Educators and Professional Trainers Association, OEA/NEA v. Stark County Board of Mental Retardation and Developmental Disabilities

Charging Party filed an unfair labor practice charge against Charged Party. The Board found probable cause to believe a violation had occurred, authorized the issuance of a complaint, referred the matter to hearing, and directed the parties to unfair labor practice mediation.

The parties sent a settlement agreement to the Board's representative. In the agreement, the parties jointly requested that the Board construe the settlement agreement as a motion to dismiss the unfair labor practice charge with prejudice.

Vice Chairperson Verich moved that the Board construe the settlement agreement as a motion to dismiss, grant the motion, and dismiss with prejudice the unfair labor practice charge. Board Member Spada seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE:	<u> Aye </u>	VERICH:	<u> Aye </u>	SPADA:	<u> Aye </u>
Affirmed	<u> X </u>	Denied	<u> </u>		

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6. Case 07-ULP-03-0095 SERB v. Wapakoneta Classified Association,
OEA/NEA

Board Member Spada moved that the Board amend the meeting agenda by adding SERB v. Wapakoneta Classified Association, OEA/NEA, Case 07-ULP-03-0095. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

Charging Party filed an unfair labor practice charge against the Respondent. The Board found probable cause to believe a violation had occurred, authorized the issuance of a complaint, referred the matter to hearing, and directed the parties to unfair labor practice mediation.

The parties filed a settlement agreement with the Board. In the agreement, the parties jointly requested that the Board construe the settlement agreement as a motion to dismiss the complaint and the unfair labor practice charge with prejudice.

Vice Chairperson Verich moved that the Board construe the settlement agreement as a motion to dismiss, grant the motion, dismiss the complaint, and dismiss with prejudice the unfair labor practice charge.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

Chairperson Brundige reported that the goal of getting current in issuing complaints is all current due to the extraordinary efforts of General Counsel Keith and Mediator Craig Young. There is still one case left that will be completed very soon. Chairperson Brundige also mentioned that in the future, all expedited probable cause cases will have complaints issued within two weeks of the Board's action.

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V. UNFAIR LABOR PRACTICE CHARGE MATTERS AT ISSUE:

1. Cases 08-ULP-07-0286 Ohio Association of Public School Employees, AFSCME Local 4, AFL-CIO and Its Local 218 v. Logan-Hocking Local School District Board of Education
- 08-ULP-08-0317 Logan-Hocking Local School District Board of Education v. Ohio Association of Public School Employees, AFSCME Local 4, AFL-CIO and Its Local 218

In Case 08-ULP-07-0286, the unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(A)(1), (2), (3), and (8) by canceling a mass bidding session, and directly dealing with the bargaining-unit members. Information gathered during the investigation revealed Charged Party did not interfere with, restrain or coerce the bargaining-unit members when it cancelled the mass bidding. The parties' negotiated agreement was silent on the procedures for conducting or canceling a mass bidding. Charging Parties did not file a grievance regarding the cancellation because, to date, Charged Party had not opened the new buildings and additions. Charging Parties did not provide sufficient information to support the Ohio Revised Code § 4117.11(A)(2), (3), and (8) allegations.

In Case 08-ULP-08-0317, the unfair labor practice charge alleged Charged Parties violated Ohio Revised Code § 4117.11(B)(3) by failing to bargain in good faith. Information gathered during the investigation revealed that the parties are steadfast in their respective positions regarding the language to be contained in the mass bidding Memorandum of Understanding (MOU). Charged Parties were not under any obligation to sign the MOU if they did not agree to the terms contained in the document.

Board Member Spada moved that the Board dismiss the charges with prejudice for lack of probable cause to believe that unfair labor practices have been committed by Charged Parties. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

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2. Case 08-ULP-08-0333 Rossford Association of Classroom Teachers, OEA/NEA v Rossford Exempted Village School District Board of Education

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (5) by failing to bargain in good faith, and directly dealing with bargaining-unit members. Information gathered during the investigation revealed Charged Party's decision not to fill the supplemental Reading Specialist positions did not appear to have a direct effect on the Reading Specialists' wages, hours, or terms and conditions of employment. The parties' agreement was silent on whether Charged Party was obligated to fill the positions. Charging Party did not respond to Charged Party's June 18, 2008 request to bargain. The direct-dealing allegation did not appear to rise to the level of a violation.

Vice Chairperson Verich moved that the Board dismiss the charge with prejudice for lack of probable cause to believe that an unfair labor practice has been committed by Charged Party. Board Member Spada seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

3. Case 08-ULP-08-0348 Fraternal Order of Police, Ohio Labor Council, Inc. v. City of Oregon

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(A)(1), (2), and (5) by assigning bargaining-unit work to a nonbargaining-unit position. Information gathered during the investigation revealed that, based on the job descriptions provided, Charged Party appeared to assign bargaining-unit work to the new Assistant Chief position. Charged Party provided a copy of the proposed job description on June 10, 2008, but Charging Party never made a formal demand to bargain. It appeared Charging Party had waived its right to bargain the new position. Charging Party did not provide sufficient information to support the Ohio Revised Code § 4117.11(A)(2) allegation.

Board Member Spada moved that the Board dismiss the charge with prejudice for lack of probable cause to believe that an unfair labor practice has been committed by Charged Party. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

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4. Case 08-ULP-09-0371 Cynthia D. Preston v. State of Ohio, Rehabilitation Services Commission

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11. Information gathered during the investigation revealed the charge set forth no facts relating to the alleged violation. Ohio Administrative Code Rule 4117-7-01(B) required that a charge provide a clear and concise statement of the facts constituting the alleged violation. Charging Party was notified of the deficiencies, but failed to provide a clear and concise statement of facts alleging a violation of the statute.

Vice Chairperson Verich moved that the Board dismiss the charge with prejudice due to Charging Party's failure to provide a clear and concise statement of the facts constituting the alleged violation. Board Member Spada seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

5. Case 08-ULP-09-0377 Ohio Association of Public School Employees, AFSCME Local 4, AFL-CIO and Its Local #038 v. Hillsboro City School District Board of Education

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (3) by retaliating against Tamara Reed for the exercise of her guaranteed rights. Information gathered during the investigation revealed Charged Party appeared to have retaliated against Ms. Reed for the exercise of her guaranteed rights when she was involuntarily transferred from the Middle School to the High School. Charged Party did not provide a persuasive rebuttal to support its statement that Ms. Reed's transfer had been planned prior to the May 8, 2008 meeting. A less senior attendance aide was still in place for attendance at the Middle School and High School. The timing of the transfer was suspect since Charged Party stated it had considered the transfer in the Spring of 2008.

Board Member Spada moved that the Board find probable cause to believe an unfair labor practice has been committed, direct the parties to ULP mediation for a period not to exceed 45 days, report back to the Board the outcome of the mediation, and, if mediation is unsuccessful, authorize the issuance of a complaint at the conclusion of the mediation period to determine if Charged Party violated Ohio Revised Code § 4117.11(A)(1), but not (3), by retaliating against Tamara Reed for the exercise of her guaranteed rights. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and pointed out to the other board members that they may have noticed the wording to the recommendation being changed when finding probable cause. The Board will issue its complaint after mediation has taken place. In addition, there is a limitation placed on the amount of time for the mediation. Chairperson Brundige called for the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

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6. Case 08-ULP-09-0392 Gallia County Local Support Staff Association v. Gallia County Local School District Board of Education

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (3) by unilaterally changing a job description in order to retaliate against Union President Todd Bowers. Information gathered during the investigation revealed Mr. Bowers was a public employee, engaged in protected activity, but did not provide any information to show he was harmed when the maintenance position was not filled. It appears a credibility issue exists as to what transpired during the August 13, 2008 conversation between Mr. Dalton and Superintendent Evans regarding Mr. Bowers' challenge of the revised job description. A credibility issue also appeared to exist as to what transpired at the September 9, 2008 meeting between the parties.

Vice Chairperson Verich moved that the Board find probable cause to believe an unfair labor practice has been committed, direct the parties to ULP mediation for a period not to exceed 45 days, report back to the Board the outcome of the mediation, and, if mediation is unsuccessful, authorize the issuance of a complaint at the conclusion of the mediation period to determine if Charged Party violated Ohio Revised Code § 4117.11(A)(1), but not (3), by retaliating against Todd Bowers for the exercise of his guaranteed rights. Board Member Spada seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

7. Case 08-ULP-09-0396 Ohio Patrolmen's Benevolent Association v. City of Girard

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (5) by unilaterally entering into a settlement agreement with Officer Frank Bigowsky. Information gathered during the investigation revealed the settlement agreement was made with Chief Bigowsky, who at the time of the agreement was not a member of the bargaining unit. Charging Party could have filed a grievance over the "out of class" pay provided for in the settlement agreement, but did not file one.

Board Member Spada moved that the Board dismiss the charge with prejudice for lack of probable cause to believe that an unfair labor practice has been committed by Charged Party. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

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8. Case 08-ULP-09-0406 Blue Ash Patrol Officer's Benevolent Association v. City of Blue Ash

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(A)(3) by failing to provide 8-hours of light-duty work for Officer John Connolly in retaliation for his protected activity. Information gathered during the investigation revealed the issue of offering only four hours of light duty to Officer Connolly did not appear to rise to the level of a statutory violation. Officer Connolly, on two occasions, signed a document that contained his four-hour work schedule. The restrictions from Officer Connolly's physician appeared to have had an effect on the type and duration of light-duty work he could perform.

Vice Chairperson Verich moved that the Board dismiss the charge with prejudice for lack of probable cause to believe that an unfair labor practice has been committed by Charged Party. Board Member Spada seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

9. Cases 08-ULP-09-0422 Steven Jones, et al. v. Ohio Civil Service Employees Association, AFSCME, AFL-CIO, Chapter 8310 and President Marc Spencer
- 08-ULP-09-0423 Steven Jones, et al. v. Ohio Civil Service Employees Association, AFSCME, AFL-CIO, Chapter 8310 and Representative Keith Profitt
- 08-ULP-09-0424 Steven Jones, et al. v. Ohio Civil Service Employees Association, AFSCME, AFL-CIO, Chapter 8310 and Staff Representative Mike Muenchen

The unfair labor practice charges alleged Charged Parties violated Ohio Revised Code § 4117.11(B)(1) and (6) by failing to take Charging Parties' grievances to arbitration, conflict of interest among the Grievance Review Committee, failing to post the grievance hearing schedule, and advising them to file a non-meritorious grievance. Information gathered during the investigation revealed Charged Parties' actions were not arbitrary, discriminatory, or in bad faith when it withdrew the grievances for lack of merit. The Grievance Review Committee (GRC) followed the same procedures for reviewing Charging Parties' grievances as it did for all other grievances. Charging Parties did not provide any information to show they pursued internal union procedures against the members of the GRC for conflict of interest. Charging Parties did not provide sufficient information to support the Ohio Revised Code § 4117.11(B)(1) allegation.

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Board Member Spada moved that the Board dismiss the charges with prejudice for lack of probable cause to believe that unfair labor practices have been committed by Charged Parties. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

10. Case 08-ULP-09-0350 Norman Horner v. City of Perrysburg – Fire Division

11. Case 08-ULP-09-0351 Norman Horner v. Perrysburg Fire Fighters Association, Local 3331

In Case 08-ULP-09-0350, the unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(A)(8) by causing the exclusive bargaining representative to commit an unfair labor practice by entering into a “gentlemen’s agreement.” Information gathered during the investigation revealed the allegation did not rise to the level of a statutory violation. Charging Party failed to provide any information to support the Ohio Revised Code § 4117.11(A)(8) violation.

In Case 08-ULP-09-0351, the unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(B)(6) by failing to fairly represent Charging Party. Information gathered during the investigation revealed Charging Party did not provide any information to support that Charged Party’s actions were arbitrary, discriminatory, or in bad faith. Charging Party failed to provide any information to support the Ohio Revised Code § 4117.11(B)(6) allegation.

Vice Chairperson Verich moved that the Board dismiss the charges with prejudice for lack of probable cause to believe that unfair labor practices have been committed by Charged Parties. Board Member Spada seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

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12. Case 08-ULP-10-0431

Ohio Council 8, American Federation of State, County and Municipal Employees, AFL-CIO and Its Local 3058, AFL-CIO v. City of Eastlake

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (3) by interfering with and discriminating against Kevin Kostelnik in retaliation for exercising his guaranteed rights. Information gathered during the investigation revealed that under the circumstances, it appeared Charged Party's actions of disciplining Mr. Kostelnik could have a chilling effect on the exercise of guaranteed rights. The Investigator recommended that the Board find probable cause to believe an unfair labor practice has been committed, direct the parties to ULP mediation for a period not to exceed 45 days, report back to the Board the outcome of the mediation, and, if mediation is unsuccessful, authorize the issuance of a complaint at the conclusion of the mediation period to determine if Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (3) by disciplining Mr. Kostelnik for his exercise of guaranteed rights and/or interfering with his rights.

Chairperson Brundige offered an alternative recommendation to dismiss the charge. He stated that he believed the investigator improperly relied on **FOP, Captain John C. Post Lodge No. 44 v. SERB, 1995 SERB 4-8 (CP, Montgomery, 1-25-95)**, IN THIS CASE THE Court noted that "this was a highly emotional issue being addressed between the Union and the Employer and such meeting's participants are entitled to the same protective latitude that Chapter 4117 affords participants in other highly emotional meetings within the theater of collective bargaining.

In the case before SERB today, there is no evidence that a normal step three grievance meeting is a "highly emotional" gathering, and the action of the City – telling the Union to arbitrate an issue on which they disagree – is not an unreasonable response. The Union President stated his displeasure by uttering a crude, disrespectful phrase. The City issued a written reprimand thus informing him not to repeat that behavior. Under these circumstances a written reprimand simply does not rise to the level of having a "chilling effect" on the exercise of guaranteed rights.

Chairperson Brundige recommended the Board dismiss the charge with prejudice for lack of probable cause to believe an unfair labor practice has been committed.

Board Member Spada moved that the Board accept the alternative recommendation, and dismiss the charge with prejudice for lack of probable cause to believe that an unfair labor practice has been committed by Charged Party. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied

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15. Case 08-ULP-06-0241 Cloverleaf Education Association, OEA/NEA v. Cloverleaf Local School District Board of Education

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (3) by taking away Rebecca Sovchik's teaching assignment in retaliation for Charging Party engaging in protected activities. Information gathered during the investigation revealed Ms. Sovchik was not harmed or disciplined, and remained a teacher for Charged Party. Ms. Sovchik was not restrained, coerced, or interfered with in the exercise of her guaranteed rights. The issue appeared contractual and should be addressed through the parties' grievance-arbitration process.

Vice Chairperson Verich moved that the Board dismiss the charge with prejudice for lack of probable cause to believe that an unfair labor practice has been committed by Charged Party. Board Member Spada seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

16. Case 08-ULP-08-0327 Akron Fire Fighters Union, Local #330 v. City of Akron

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(A)(5) by unilaterally implementing a more restrictive requirement for proof of illness than what is required under the parties' recently negotiated collective bargaining agreement. The parties jointly filed a Joint Motion for Deferral to the Grievance and Arbitration Process. Information gathered during the investigation revealed a grievance regarding the alleged unilateral change had been filed and is proceeding through the grievance procedure. While interpreting contract provisions such as Article 16, the arbitrator will review sick leave policies and determine whether the more restrictive requirement for proof of illness is being violated. Contract interpretation and application appear to lie at the heart of both the unfair labor practice charge and grievance dispute.

Board Member Spada moved that the Board grant the parties' Joint Motion for Deferral, defer this matter for resolution through the grievance-arbitration procedure, and retain jurisdiction in accordance with In re Upper Arlington Ed Assn, SERB 92-010 (6-30-92). Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

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17. Case 08-ULP-08-0332 Cleveland Association of Rescue Employees, Local 1975 v. City of Cleveland

The unfair labor practice charge alleges Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (5) by unilaterally assigning bargaining-unit work to nonbargaining-unit employees. The parties jointly filed a Joint Motion for Deferral to the grievance-arbitration process. Information gathered during the investigation reveals that the collective bargaining agreement between the parties included a grievance procedure culminating in final and binding arbitration. A grievance regarding the alleged unilateral change has been filed and is proceeding through the grievance-arbitration procedure. While interpreting contract provisions such as Article XLVIII – Work Jurisdiction, the arbitrator will determine whether reassigning bargaining-unit work to nonbargaining-unit employees is being violated. Contract interpretation and application appear to lie at the heart of both the unfair labor practice charge and grievance dispute.

Vice Chairperson Verich moved that the Board grant the parties' Joint Motion for Deferral, defer this matter for resolution through the grievance-arbitration procedure, and retain jurisdiction in accordance with In re Upper Arlington Ed Assn, SERB 92-010 (6-30-92). Board Member Spada seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

18. Case 07-ULP-08-0431 Timothy E. Koppert v. State of Ohio, Department of Natural Resources

19. Case 07-ULP-11-0571 Ohio Association of Public School Employees, AFSCME Local 4 and Its Local 327 v. Hamilton Local School District Board of Education

20. Cases 08-ULP-04-0165 James W. Frierson v. Cleveland Metropolitan School District Board of Education

08-ULP-04-0166 James W. Frierson v. National Council of Firemen and Oilers, Local 777

21. Case 08-ULP-02-0068 Joel R. Schwartz v. State of Ohio, Department of Mental Retardation and Developmental Disabilities

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22. Case 08-ULP-02-0069 Joel R. Schwartz v. Service Employees International Union, District 1199

Charging Parties filed requests and motions for reconsideration in these matters. A review of the original investigations revealed that Charging Parties had failed to raise issues warranting reversal of the dismissals.

Board Member Spada moved that the Board construe Charging Parties' requests for reconsideration as motions for reconsideration, and deny the motions with prejudice. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

23. Case 08-ULP-07-0280 Southern State Community College v. Southern State Education Association, OEA/NEA

On September 11, 2008, the Board dismissed the unfair labor practice charge with prejudice for failure of Charging Party to pursue the matter. On September 22, 2008, Charging Party filed a motion for reconsideration. On November 20, 2008, Charging Party filed a motion to withdraw the motion for reconsideration.

Vice Chairperson Verich moved that the Board grant with prejudice Charging Party's motion to withdraw. Board Member Spada seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

24. Case 06-ULP-07-0331 Brookfield Association of School Employees v. Brookfield Local School District Board of Education

25. Case 08-ULP-09-0363 Vermilion Local School District Board of Education v. Vermilion Teachers Association, OEA/NEA

Charging Parties filed a notice and a motion for reconsideration in these matters. A review of the original investigations revealed that Charging Parties had failed to raise issues warranting reversal of the dismissals.

Board Member Spada moved that the Board construe Charging Parties' notice in Case 08-ULP-09-0363 as a motion to withdraw the charge, and grant with prejudice both motions to withdraw. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

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26. Case 08-ULP-09-0415 Tecumseh Education Association, OEA/NEA v. Tecumseh Local School District Board of Education

27. Case 08-ULP-09-0420 Tecumseh Local School District Board of Education v. Tecumseh Education Association, OEA/NEA

Vice Chairperson Verich moved that the Board grant without prejudice the motions to withdraw. Board Member Spada seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

28. Case 07-ULP-09-0436 Akron Education Association, OEA/NEA v. Akron City School District Board of Education

29. Case 08-ULP-10-0456 International Association of Fire Fighters, IAFF, Local 1690, AFL-CIO v. City of Parma Heights

30. Case 08-ULP-10-0464 Tom Morris v. Ohio Civil Service Employees Association, AFSCME Local 11, AFL-CIO

31. Case 08-ULP-11-0476 Bath Local School District Board of Education v. Bath Education Association, OEA/NEA

32. Case 08-ULP-11-0481 Toledo Federation of Teachers, Local 250 v. Toledo City School District Board of Education

33. Case 08-ULP-11-0490 Bath Education Association, OEA/NEA v. Bath Local School District Board of Education

34. Case 08-ULP-11-0500 Communications Workers of America, Local 4319 v. University of Toledo

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35. Case 07-ULP-09-0501 Akron Association of Classified Personnel, OEA/NEA v. Akron City School District Board of Education

Board Member Spada moved that the Board construe Charging Parties' notice, letters, and request as motions to withdraw the charges, and grant with prejudice the motions to withdraw. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

36. Case 07-ULP-10-0540 Avon Teachers Association, OEA/NEA v. Avon Local School District Board of Education

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (5) by unilaterally creating job descriptions when the parties' collective bargaining agreement calls for the formation of a Job Description Committee.

On March 20, 2008, the Board deferred the unfair labor practice charge to the parties' grievance-arbitration procedure pursuant to option three of In re Upper Arlington Ed Assn, SERB 92-010 (6-30-92). Charging Party had withdrawn the grievance, and no arbitration hearing was held in this matter.

Pursuant to Ohio Revised Code § 4117.12, the Board conducted an investigation of this charge. Information gathered during the investigation revealed the subject of job descriptions appeared to be addressed in Section 7.18 of the collective bargaining agreement. The issue appeared to be contractual with no evident Ohio Revised Code Chapter 4117 issue requiring the Board's consideration.

Vice Chairperson Verich moved that the Board dismiss the charge with prejudice for lack of probable cause to believe that an unfair labor practice has been committed by Charged Party. Board Member Spada seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

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37. Case 08-ULP-09-0367 Teamsters Local Union 637 v. Countryview Assisted Living Center

Chairperson Brundige moved that the Board lift this matter from the table. Board Member Spada seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

Charging Party filed a motion to withdraw the charge.

Board Member Spada moved that the Board grant with prejudice the motion to withdraw. Vice Chairperson Verich seconded the motion. Chairperson Brundige called for discussion and the vote.

Vote: BRUNDIGE: Aye VERICH: Aye SPADA: Aye
Affirmed X Denied _____

Chairperson Brundige mentioned that several of the tabled matters will be heard at the next Board meeting due to the successful mediations conducted by Labor Relations Administrator Dory McClendon.

VI. TABLED AND OTHER MATTERS:

1. Case 08-ULP-05-0193 Service Employees International Union, District 1199 v. Cincinnati State Technical and Community College
Postponed – August 14, 2008
2. Case 08-ULP-05-0196 Robert F. Dalton v. State of Ohio, Department of Rehabilitation and Correction, Orient Correctional Facility, Corrections Reception Center
Postponed – September 25, 2008
3. Case 08-ULP-09-0369 Teamsters Local Union 637 v. Countryview Assisted Living Center
Tabled – November 20, 2008
4. Case 08-ULP-10-0434 City of Salem v. Fraternal Order of Police, Ohio Labor Council, Inc.
Tabled - November 20, 2008

