

State Employment Relations Board

Board Meeting Minutes  
May 12, 2016

The State Employment Relations Board met on May 12, 2016, at 10:00 a.m., at 65 East State Street, 12<sup>th</sup> Floor, Columbus, Ohio. Present at the meeting were Chair W. Craig Zimpher and Vice Chair Aaron A. Schmidt. The third SERB member position is vacant.

**I. APPROVAL OF MINUTES FOR THE APRIL 21, 2016 BOARD MEETING:**

Vice Chair Schmidt moved that the Board approve the minutes for the April 21, 2016 meeting. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: SCHMIDT: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

**II. MEDIATION AND FACT-FINDING MATTERS AT ISSUE:**

1. Case 2016-MED-01-0070 Ohio Patrolmen's Benevolent Association and Village of Madison

On January 25, 2016, the Ohio Patrolman's Benevolent Association (OPBA) filed a Notice to Negotiate for a new collective bargaining agreement with the Village of Madison.

Previously, on January 7, 2016, the Board dismissed a similar Notice to Negotiate filed by the same union for the same group of employees. The Board dismissed that filing as the Village of Madison has a population of less than 5,000, thus excluding them from the definition of public employer under Ohio Rev. Code 4117.01(B). The union has not presented any new reason to show a change.

Vice Chair Schmidt moved that the Board dismiss the Notice to Negotiate for lack of jurisdiction as The Village of Madison is not a public employer pursuant to R.C 4117.01 (B). Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: SCHMIDT: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

2. Case 2016-MED-02-0109 Fraternal Order of Police, Ohio Labor Council, Inc. and Sandusky County Sheriff

On February 5, 2016, the Fraternal Order of Police, Ohio Labor Council, Inc. filed a Notice to Negotiate for a new collective bargaining agreement representing full-time Sergeants and above of the Sandusky County Sheriff.

On February 4, 2016, a Petition for Decertification of Election was filed seeking to decertify the Fraternal Order of Police as the exclusive representative for these employees.

Since then, on March 31, 2016, the Scioto County Sheriff has filed a Motion to Stay Negotiations pending the outcome of the above representation petition Case No. 2016-REP-02-0013.

Vice Chair Schmidt moved that the Board grant the Employer's Motion to Stay Negotiations in Case No. 2016-MED-02-0109 pending disposition of Case No. 2016-REP-01-0013. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: SCHMIDT: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

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3. Closing of 414 Cases

Vice Chair Schmidt moved that the Board close 414 Mediation cases beginning with Case No. 2010-MED-01-0042 and ending with Case No. 2015-MED-11-1249, not consecutively numbered. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: SCHMIDT: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

**III. REPRESENTATION MATTERS AT ISSUE:**

1. Case 2016-REP-02-0013 Ohio Patrolmen's Benevolent Association and Fraternal Order of Police, Ohio Labor Council, Inc. and Sandusky County Sheriff
2. Case 2016-REP-03-0024 Ohio Association of Public School Employees (AFSCME) Local 4, AFL-CIO and Felicity-Franklin Local School District

The parties have entered into a Consent Election Agreement seeking a mail-ballot election.

Vice Chair Schmidt moved that the Board approve the Consent Election Agreement in each case and direct mail-ballot elections to be conducted during the polling period of May 24, 2016 through June 7, 2016. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: SCHMIDT: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

3. Case 2016-REP-03-0026 Ohio Federation of Teachers and Belmont College

The Employer objected to the polling period of the mail-ballot election on the basis that some of the employees in the proposed bargaining unit are not scheduled to work during the polling period. As a result, the parties did not enter into a Consent Election Agreement.

However, for the reasons set forth in the memorandum to the Board, directing a mail-ballot election is appropriate.

Vice Chair Schmidt moved that the Board direct the parties to a mail-ballot election to be conducted during the polling period of May 24, 2016 through June 7, 2016. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: SCHMIDT: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

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4. Case 2016-REP-04-0039 Ohio Council 8, American Federation of State, County and Municipal Employees, AFL-CIO and Trumbull Metropolitan Housing Authority
5. Case 2016-REP-04-0042 Eaton Classroom Teachers Association, OEA/NEA and Eaton Community Schools Board of Education
6. Case 2016-REP-04-0043 Wright State University Chapter of the American Association of University Professors and Wright State University
7. Case 2016-REP-04-0045 Ohio Council 8, American Federation of State, County and Municipal Employees and Lake County General Health District
8. Case 2016-REP-04-0046 Excavating, Building Material, Construction Drivers, Race Track Employees, Manufacturing, Processing, Public Employees, Assembling and Installer Employees, Local Union #436, affiliated with the International Brotherhood of Teamsters and Wayne County Children Services Board

The parties in each case jointly filed petitions to amend certifications.

Vice Chair Schmidt moved that the Board approve the jointly filed petitions in each case and amend the certifications accordingly. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: SCHMIDT: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

9. Case 2016-REP-02-0016 Fraternal Order of Police/Ohio Labor Council and Bowling Green State University

The issue in this case is whether the Sergeants in the proposed unit are "public employees" as defined by the statute and are, therefore, subject to representation. This matter is best addressed through Inquiry.

Vice Chair Schmidt moved that the Board order the parties to participate in an Inquiry to determine whether the Sergeant classification falls within the statutory definition of "public employees" and all other related matters regarding the proposed bargaining unit. The date and time of the Inquiry and the Inquiry procedures will be addressed in a procedural order issued by the Office of the General Counsel of the State Employment Relations Board. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: SCHMIDT: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

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10. Case 2016-REP-02-0023 The Chicago & Midwest Regional Joint Board, Workers United, an SEIU affiliate and City of Fostoria - Auditors Office

On May 11, 2016 at 4:07 p.m. The Employee Organization filed a letter of withdrawal.

Vice Chair Schmidt moved that the Board construe the Employee Organization's letter as a motion to withdraw, grant the motion, and dismiss without prejudice the Request for Recognition. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: SCHMIDT: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

11. Case 2016-REP-04-0037 American Association of University Professors, Wright State University Chapter and Wright State University

The American Association of University Professors, Wright State University Chapter filed a Request for Recognition seeking to represent certain employees of the Wright State University. However, the Association has since filed a letter seeking to withdraw this request.

Vice Chair Schmidt moved that the Board construe the Employee Organization's letter as a motion to withdraw, grant the motion and dismiss without prejudice the Request for Recognition. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: SCHMIDT: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

12. Case 2016-REP-04-0047 Dan Bailey and Fraternal Order of Police, Ohio Labor Council and MultiCounty Juvenile Attention System

On April 28, 2016, Dan Bailey prematurely filed a Petition for Decertification Election. As a result, the instant case should be dismissed. The Representation section contacted Mr. Bailey and explained the filing deficiency.

Vice Chair Schmidt moved that the Board dismiss without prejudice the Petition for Representation Election pursuant to Revised Code 4117.07(C)(6). Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: SCHMIDT: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

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13. Case 2015-REP-12-0117 Ohio Patrolmen's Benevolent Association and City of Germantown

- There were two (2) valid ballots cast
- There were zero (0) void ballots
- There were zero (0) challenged ballots
- Ohio Patrolmen's Benevolent Association received zero (0) votes
- No Representative received two (2) votes and prevailed in this election

14. Case 2015-REP-12-0118 Ohio Patrolmen's Benevolent Association and City of Germantown

- There were three (3) valid ballots cast
- There were zero (0) void ballots
- There were zero (0) challenged ballots
- Ohio Patrolmen's Benevolent Association received one (1) vote
- No Representative received two (2) votes and prevailed in this election

Mail ballot elections were held in each case. No objections were filed.

Vice Chair Schmidt moved that the Board certify the election results in each case and certify that the employees in the perspective units have chosen to have no exclusive representative for the purposes of collective bargaining. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: SCHMIDT: Yes ZIMPHER: Yes  
Affirmed X Denied           

**IV. ADMINISTRATIVE LAW JUDGE RECOMMENDATIONS AT ISSUE:**

1. Case 2015-ULP-12-0260 Ohio Council 8, AFSCME, AFL-CIO v. Lima/Allen County Regional Transit Authority

On December 9, 2015, Ohio Council 8, American Federation of State, County and Municipal Employees, AFL-CIO ("Charging Party") filed an unfair labor practice charge against Lima/Allen County Regional Transit Authority ("Charged Party"), alleging that Charged Party violated Ohio Revised Code §§ 4117.11(A)(1) and (A)(3). On February 18, 2016, the State Employment Relations Board ("SERB" or "the Board") determined that probable cause existed to believe Charged Party had committed or was committing an unfair labor practice, authorized the issuance of a complaint, and referred the matter to hearing. The Board further ordered that the parties participate in unfair labor practice mediation. The parties participated in mediation and were able to resolve their differences. No complaint was issued in this matter.

On March 24, 2016, the parties filed a copy of their settlement agreement and, on April 13, 2016, Charging Party filed a motion to dismiss. Paragraph 3 of the parties' agreement



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Relations Board ("the Board") determined that probable cause existed to believe Charged Party had committed or was committing unfair labor practices, coordinated the cases, authorized the issuance of a complaint, and referred the matter to hearing. The Board also directed the parties to participate in unfair labor practice mediation. The hearing notice and the complaint were not issued pending the outcome of the parties' mediation.

On April 25, 2016, the parties filed their settlement agreement. The parties indicate that they have reached a settlement that resolves the matters underlying the unfair labor practice charges in these two cases. Paragraph 3 of the parties' agreement requests that SERB construe the settlement agreement as a motion to dismiss the unfair labor practice charge with prejudice.

Vice Chair Schmidt moved that the Board construe the parties' settlement agreement as a motion to dismiss, grant the motion, and dismiss with prejudice the unfair labor practice charges in Case Nos. 2015-ULP-12-0270 and 2015-ULP-12-0272. (The Board retains jurisdiction over this matter for purposes of enforcing the parties' settlement agreement, pursuant to Ohio Administrative Code Rule 4117-7-06.). Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote:   SCHMIDT:   Yes     ZIMPHER:   Yes    
          Affirmed     X     Denied             

**IV. UNFAIR LABOR PRACTICE CHARGE MATTERS AT ISSUE:**

1.    Cases 2016-ULP-01-0011   Ohio Civil Service Employees Association, AFSCME  
          2016-ULP-01-0012   Local 11 v. Trumbull County Engineer's Office  
          2016-ULP-01-0013  
          2016-ULP-01-0014  
          2016-ULP-03-0042  
          2016-ULP-03-0050  
          2016-ULP-04-0077  
          2016-ULP-04-0078

Ohio Civil Service Employees Association, AFSCME Local 11 filed several unfair labor practice charges against Trumbull County Engineer's Office alleging that the County violated several provisions of Ohio Revised Code 4117.11.

Vice Chair Schmidt moved that the Board, without rendering any judgment on the merits, in the previously mentioned cases, order the parties to pre-determination mediation for a period not to exceed 45 days with instructions to the mediator to report back to the Board at the conclusion of the mediation or the mediation period, whichever occurs first, authorize the assigned mediator, after consultation with the parties to issue and e-mail a mediator's procedural order, including date, time, and location of mediation within the time period designated. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote:   SCHMIDT:   Yes     ZIMPHER:   Yes    
          Affirmed     X     Denied

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2. Case 2015-ULP-12-0251 Adrian A. Claybrooks v. Greater Cleveland Regional Transit Authority

The unfair labor practice charge alleged that the Transit Authority violated Ohio Revised Code §4117.11 (A)(3) and (5) by illegally terminating Adrian Claybrooks on August 7, 2015.

Information gathered during the investigation revealed that Mr. Claybrooks was not terminated for anti-union animus, but for violating many of the Transit Authority's rules, policies, and procedures. Based upon the totality of the circumstances, the Transit Authority's actions do not rise to the level of an (A)(3) violation.

Mr. Claybrooks failed to provide sufficient information or documentation to support his (A)(5) allegation.

Vice Chair Schmidt moved that the Board dismiss the charge with prejudice for lack of probable cause to believe that an unfair labor practice has been committed. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: SCHMIDT: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

3. Case 2015-ULP-12-0252 Adrian A. Claybrooks v. Amalgamated Transit Union Local 268

The unfair labor practice charge alleged that the Union violated Ohio Revised Code §4117.11 (B)(6) by providing legal representation for their Executive Board Member, Everett Clark, in a case filed against Mr. Clark by Adrian Claybrooks in the Cuyahoga Court of Common Pleas for workplace/sexual harassment.

Information gathered during the investigation revealed that any attorney-client relationship established between Everett Clark and Attorney Robert Davis arose from a private and personal legal arrangement between parties having nothing to with the Union." As a result, the Union's conduct does not rise to the level of a (B)(6) violation.

In addition, there is insufficient information to support the (B)(6) allegation.

Vice Chair Schmidt moved that the Board dismiss the charge with prejudice for lack of probable cause to believe that an unfair labor practice has been committed. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: SCHMIDT: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

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4. Case 2015-ULP-12-0253 Adrian A. Claybrooks v. Amalgamated Transit Union Local 268

The unfair labor practice charge alleged that the Union violated Ohio Revised Code §4117.11 (B)(3) and (6) by allowing the Employer's representative, Teresa Coleman, to state during a grievance hearing that she explained an Employee Assistance Program (EAP)/Counseling/Discipline agreement to Adrian Claybrooks when she did not.

Information gathered during the investigation revealed that Mr. Claybrooks failed to present any documentation to support his allegations. Mr. Claybrooks did, however, provide documentation demonstrating that the Union was present at all meetings and hearings and were in constant contact with him via email. Accordingly, the Union's conduct does not rise to the level of a (B)(6) violation.

Mr. Claybrooks failed to provide any documentation or information to support the (B)(3) allegation.

Vice Chair Schmidt moved that the Board dismiss the charge with prejudice for lack of probable cause to believe that an unfair labor practice has been committed. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: SCHMIDT: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

5. Case 2015-ULP-12-0256 Massillon Education Association, OEA/NEA v. Massillon City School District Board of Education

The unfair labor practice charge alleged that the School Board violated Ohio Revised Code §4117.11 (A)(1) and (5) by interfering with and failing to bargain with the Union.

Information gathered during the investigation revealed that there is no arguable statutory violation as this is purely contractual.

The documentation and information provided by the Union are not sufficient to support the (A)(1) or (5) allegations.

Vice Chair Schmidt moved that the Board dismiss the charge with prejudice for lack of probable cause to believe that an unfair labor practice has been committed. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: SCHMIDT: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

6. Case 2015-ULP-12-0258 Association of Group Teachers v. Massillon City School District Board of Education

The unfair labor practice charge alleged that School Board violated Ohio Revised Code §4117.11 (A)(1) and (5) by interfering with the Union's attempts to follow the provisions of the contract and by assigning work from a different bargaining unit to their members.

Information gathered during the investigation revealed that the job duties of the Union's

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bargaining unit members remain the same; merely the location where those services would be rendered changed. A review of the totality of the circumstances demonstrate that the School Board's conduct does not rise to the level of an (A) (1) violation.

In addition, the Union failed to provide sufficient information or documentation to support an (A)(5) allegation.

Vice Chair Schmidt moved that the Board dismiss the charge with prejudice for lack of probable cause to believe that an unfair labor practice has been committed. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: SCHMIDT: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

7. Case 2016-ULP-02-0028 Dayton Chapter of Reserve Teachers, OEA/NEA and Dayton Education Association, OEA/NEA v. Dayton City School District Board of Education

The unfair labor practice charge alleged that the School Board violated Ohio Revised Code §4117.11 (A)(1) and (5) by unilaterally changing the terms and conditions of employment for the long-term reserve (substitute) teachers who have worked more than sixty (60) consecutive days in the same position.

Information gathered during the investigation revealed that the matter is purely contractual encompassing no arguable statutory violation. Therefore, based on the totality of the circumstances, the School Board's actions do not rise to the level of (A)(1) and (5) violations of the statute.

Vice Chair Schmidt moved that the Board dismiss the charge with prejudice for lack of probable cause to believe that an unfair labor practice has been committed. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: SCHMIDT: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

8. Case 2016-ULP-02-0030 Shawnee Classified Employees Association, OEA/NEA v. Shawnee Local School District Board of Education

The unfair labor practice charge alleged that the School Board violated Ohio Revised Code §4117.11 (A)(1) and (5) by unilaterally assigning field trips and assigning nonbargaining-unit members to drive those field trips in violation of the collective bargaining agreement.

Information gathered during the investigation revealed that the matter is purely contractual encompassing no arguable statutory violation. Therefore, based on the totality of the circumstances, the School Board's actions do not rise to the level of (A)(1) and (5) statutory violations.

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Vice Chair Schmidt moved that the Board dismiss the charge with prejudice for lack of probable cause to believe that an unfair labor practice has been committed. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: SCHMIDT: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

9. Case 2016-ULP-03-0046 Jesse Cooper v. Lucas County Department of Job and Family Services

The unfair labor practice charge alleged that the County violated Ohio Revised Code §4117.11 (A)(1), (2), (3) and (8) by refusing to allow the members to meet with the Union on February 23, 2016.

Information gathered during the investigation revealed that cancelling the February 23rd meeting did not interfere with, restrain or coerce the members in the exercise of their guaranteed rights, especially when the meeting was ultimately held on February 24th.

Mr. Cooper did not provide any information to support that the County's alleged actions interfered with the continued existence of the Union. The County's actions do not rise to the level of (A)(1) and (2) statutory violations.

Mr. Cooper did not provide sufficient information or documentation to support the (A)(3) and (8) allegations.

Vice Chair Schmidt moved that the Board dismiss the charge with prejudice for lack of probable cause to believe that an unfair labor practice has been committed. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: SCHMIDT: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

10. Case 2016-ULP-03-0048 Springdale Professional Fire Fighters, IAFF Local 4027 v. City of Springdale

The unfair labor practice charge alleged that the City violated Ohio Revised Code §4117.11 (A)(3) and (5) by retaliating against Firefighter Jeff Bryant, a member of the Union's negotiating team, when it denied him the use of paid leave.

Information gathered during the investigation revealed that the matter is purely contractual encompassing no arguable statutory violation.

The Union did not provide any information or documentation to show the nexus between the City's denial of Mr. Bryant's leave request and his participation on the Union's negotiating team.

In addition, the Union did not provide any information or documentation to show that the City had unilaterally changed the terms and conditions of employment for its members. Based on the totality of the circumstances, the City's actions do not amount to (A)(3) and (5) violations.

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The charge is also untimely filed. Based on the November 16, 2015 date of the denial, the charge should have been filed on or before February 14, 2016, but was not filed until March 18, 2016, 123 days later.

Vice Chair Schmidt moved that the Board dismiss the charge with prejudice for lack of probable cause to believe that an unfair labor practice has been committed and for being untimely filed. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote:   SCHMIDT:   Yes    ZIMPHER:   Yes  
          Affirmed      X      Denied              

11.   Case   2016-ULP-03-0052   Mary Louise Allen v. Stark State College

The unfair labor practice charge alleged that the College violated Ohio Revised Code §4117.11 (A)(1), (2), (3), (4), (5), (6), (7) and (8).

Information gathered during the investigation revealed that Mary Louise Allen and her counsel were notified in writing on March 25, 2016, that they failed to provide a clear and concise statement of the facts constituting an alleged violation in the charge. They were given until April 5th to correct the deficiency, but they failed to do so.

Ms. Allen was also notified that the majority of the documents attached to the charge were outside of the 90-day statutory time frame to file a charge and that SERB did not have jurisdiction. Ms. Allen and her counsel failed to provide any information or documentation to toll the 90-day statute of limitations for filing a charge.

Vice Chair Schmidt moved that the Board dismiss the charge with prejudice due to the failure to provide a clear and concise statement of facts constituting the alleged violation, for failure to pursue the matter and for being untimely filed. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote:   SCHMIDT:   Yes    ZIMPHER:   Yes  
          Affirmed      X      Denied              

12.   Case   2015-ULP-12-0259   Ayersville Education Association, OEA/NEA v. Ayersville Local School District Board of Education

The unfair labor practice charge alleged that the School Board violated Ohio Revised Code §4117.11 (A)(1), (3), (4) and (5) by unilaterally removing the bargaining-unit position of Craig Cicero and unilaterally assigning those additional duties to other bargaining-unit and nonbargaining-unit members.

Information gathered during the investigation revealed that on March 10, 2016 SERB deferred the matter to the parties' grievance-arbitration procedure. The parties entered into a Settlement Agreement on April 21, 2016 and on April 26, 2016, the Association filed a Motion to Withdraw the charge.

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Vice Chair Schmidt moved that the Board grant the Association's Motion to Withdraw and dismiss this charge with prejudice as having been resolved between the parties pursuant to the grievance-arbitration process. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: SCHMIDT: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

- 13. Case 2015-ULP-11-0231 Celina Education Association, OEA/NEA v. Celina City School District Board of Education
- 14. Case 2016-ULP-02-0031 Garfield Heights Teachers Association, OEA/NEA v. Garfield Heights City School District Board of Education
- 15. Case 2016-ULP-03-0055 Ohio Council 8, AFSCME, AFL-CIO and Its Local 2963 v. City of Newark
- 16. Case 2016-ULP-04-0058 International Brotherhood of Teamsters Local 377 v. Western Reserve Transit Authority
- 17. Case 2016-ULP-04-0065 International Brotherhood of Teamsters Local Union No. 436 v. Chester Township, Geauga County
- 18. Case 2015-ULP-12-0266 Buckeye Local Classroom Teachers Association, OEA/NEA v. Buckeye Local School District Board of Education
- 19. Case 2015-ULP-12-0267 Christine Butkus, President and Buckeye Local Classroom Teachers Association, OEA/NEA v. Buckeye Local School District Board of Education
- 20. Case 2015-ULP-12-0269 Wooster Education Association, OEA/NEA v. Wooster City School District Board of Education
- 21. Case 2015-ULP-12-0274 Wooster Education Association, OEA/NEA v. Wooster City School District Board of Education

Items 13 through and including 21 were withdrawn pursuant to requests and motions to withdraw.

Vice Chair Schmidt moved that the Board construe the requests to withdraw as motions to withdraw, and grant all motions to withdraw with prejudice. Chair Zimpher seconded the motion. Chair Zimpher called for discussion and the vote.

Vote: SCHMIDT: Yes ZIMPHER: Yes  
Affirmed X Denied \_\_\_\_\_

**VI. TABLED AND OTHER MATTERS:**

There are no tabled matters.

**VII. ADMINISTRATIVE MATTERS:**

**SERB REGULAR SCHEDULED MEETING DATES:**

- June 02, 2016
- June 23, 2016
- August 04, 2016
- August 25, 2016
- September 15, 2016
- October 06, 2016
- October 27, 2016
- November 17, 2016
- December 15, 2016

**SYSTEM UPDATES:**

- **Employee Organization Annual Report Filings:** For fiscal year ending 12/31/2015, 738 Employee Organizations are required to report not later than 5/15/2016. To date, 566 Employee Organizations have filed. Licia Sapp of the Research and Training Section tracks their status and works with the Employee Organizations to encourage compliance before the deadline. At this time, there are no employee organizations 31 days past due.
- **XLN Progress on SMDS Update:** The administrator and staff of Investigations have continued to meet with XLN to review the latest revisions of the SMDS application. They are now prepared to begin meeting regarding revision for the Representation Section. Everything is coming along quite well and on time.
- **Auditor of State:** The audit of SERB for the period of July 1, 2014 to June 30, 2016 began on Tuesday, April 19, 2016. All work has been completed by the internal auditor assigned to the SERB audit; the immediate supervisor of the project is reviewing initial results submitted. Next step will be a meeting with the SERB team to review preliminary results. The Auditors will be back in early July to finish the year end testing (a couple of vouchers, invoices, payroll and such, but smaller samples) and update their analysis for a final report.
- **Transcription Contract Services:** Due to extenuating circumstances, an additional contract for Transcription services has been entered into with Armstrong and Okey, Inc. They are the oldest such service provider in the United States, located here in Columbus, serving Central Ohio since 1888 and still family owned and operated. Our recent experience with the company has been excellent!
- **Annual Staff Training/Retreat:** Chairman Zimpher and Christine Dietsch met with Mr. Greg Hawks of Hawks Agency to explore a full day of offsite training for SERB staff; the overall topic to focus on cultivating a spirit of ownership in the workplace. A contract has been entered into with Mr. Hawks for the training. The goal of the training is to foster an enhanced team atmosphere and work culture and thus improve efficiencies in our everyday tasks. Following the full day with all staff, a second half day will be held with the Section Administrators and Mr. Hawks to discuss follow up and follow through steps to maintain the training thrust. Dates of the training are June 6<sup>th</sup> and June 7<sup>th</sup>. The full day of training will be held at the DAS site on Surface Road. The second half day will be held in the Retail Space of the Hertz building.

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**TRAINING:**

- **Spring SERB Academy:** Scheduled for May 19 and 20, 2016. CLE's have been approved; there are currently 95 registrations. The Academy will be held at the Crowne Plaza Hotel - North in Worthington.
- **Fact-Finding Conference:** Scheduled for August 19, 2016. On Monday, January 04, 2016, save the date reminders were sent to all the Neutrals on SERB's roster. General Counsel is working with Research and Training on the agenda and related presenters. No registrations have been received as of this date; it is still early.
- **Spring SPBR Academy:** Tentatively scheduled for Friday, March 10, 2017 at the Crowne Plaza Hotel - North in Worthington.

**FAREWELL:**

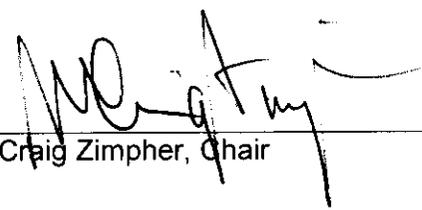
**Marcie Scholl is concluding her service with SERB:** On May 27, 2016 Marcie will conclude 35 years of service with the State of Ohio, 28 of which were as an Administrative Law Judge with SERB and SPBR. Her commitment to the mission of SERB, to promote orderly and constructive labor relations, was demonstrated on many levels as an Administrative Law Judge, EEO/Affirmative Action Officer, trainer for summer legal interns, and presenter at many SERB and SPBR Academy's and Conferences to name a few examples. All of that combined with her integrity, commitment and skills will be missed. As Marcie moves on to pursue other opportunities and new paths outside of the world of work, we thank her for her years of service with the State of Ohio; she is held in high esteem and is an example for many to aspire to. She will indeed be missed.

**IX. ADJOURNMENT:**

Vice Chair Schmidt moved that the Board adjourn the meeting. Chair Zimpher seconded the motion. Chair Zimpher called for the vote.

Vote: SCHMIDT: Yes \_\_\_\_\_ ZIMPHER: Yes \_\_\_\_\_  
Affirmed X Denied \_\_\_\_\_

The Board meeting adjourned at 10:30 a.m.

/s/   
W. Craig Zimpher, Chair