The State Employment Relations Board met on Thursday, April 12, 2007, at 10:10 a.m., at 65 East State Street, Columbus, Ohio. Present at the meeting were Chairman Craig R. Mayton, Vice Chairman Karen L. Gillmor, and Board Member Michael G. Verich.

I. APPROVAL OF MINUTES OF THE PREVIOUS MEETING:

Vice Chairman Gillmor moved that the Board approve the minutes for the March 22, 2007 Board meeting. Board Member Verich seconded the motion. Chairman Mayton called for the vote.

Vote: MAYTON: Aye GILLMOR: Aye VERICH: Aye

II. MEDIATION AND FACT-FINDING MATTERS AT ISSUE:

1. Case 06-MED-10-1255  Ohio Council 8, AFSCME, AFL-CIO and City of Middleburg Heights

On September 14, 2006, the Local Association of Public Service Workers filed a Petition for Representation Election (Case 06-REP-09-0123) seeking to replace the Incumbent Employee Organization as the exclusive representative for a bargaining unit of service workers of the Employer. By letter dated November 9, 2006, the Incumbent Employee Organization filed a disclaimer of interest.

On November 20, 2006, the Employer filed a motion to stay its negotiations with the Incumbent Employee Organization. On December 14, 2006, the motion was granted pending disposition of Case 06-REP-09-0123, which was to be expedited.

After a secret-ballot election, the Board, on February 15, 2007, approved the Local Association of Public Service Workers as the Board-certified exclusive representative of all employees in the bargaining unit.

On March 22, 2007, the Local Association of Public Service Workers and the Employer filed a Joint Motion to Lift Stay on Negotiations. Upon the Board’s certification of election results and the certification of Local Association of Public Service Workers as the exclusive representative on February 15, 2007, the stay was lifted automatically.

Board Member Verich moved that the Board deny the Joint Motion to Lift Stay on Negotiations as moot. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for the vote.

Vote: MAYTON: Aye GILLMOR: Aye VERICH: Aye
III. REPRESENTATION MATTERS AT ISSUE:

1. Case 07-REP-01-0013  
   Teamsters Local 336, International Brotherhood of Teamsters and Lorain County Juvenile Detention Homes  
   April 24, 2007

2. Case 07-REP-02-0029  
   Ohio Council 8, American Federation of State, County and Municipal Employees, AFL-CIO and Clark County Department of Job and Family Services  
   April 26, 2007

3. Case 07-REP-01-0018  
   Ohio Council 8, American Federation of State, County and Municipal Employees, AFL-CIO and Richland County Regional Solid Waste Management Authority  
   April 27, 2007

4. Case 07-REP-02-0027  
   Fraternal Order of Police, Ohio Labor Council, Inc. and City of Middletown  
   May 2, 2007

5. Case 07-REP-01-0009  
   Jessica Bucaro and Metzenbaum Association of Service and Support Administrators, OEA/NEA and Geauga County Board of Mental Retardation and Developmental Disabilities  
   May 3, 2007

6. Case 07-REP-01-0014  
   Teamsters Local #348, International Brotherhood of Teamsters and Bath Township, Summit County  
   May 10, 2007

All parties have executed and filed the appropriate Consent Election Agreements.

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

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
Affirmed X  Denied
7. Case 07-REP-01-0008 Fraternal Order of Police, Ohio Labor Council, Inc. and Scioto County Sheriff's Office

The Employee Organization has filed a Request for Recognition seeking to represent certain employees of the Employer. The substantial evidence is sufficient. No objections have been filed. The Employer has complied with the posting requirements.

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

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
Affirmed  X
Denied

8. Case 07-REP-02-0034 Fraternal Order of Police, Ohio Labor Council, Inc. and Ottawa County Sheriff

The Employee Organization has filed an Opt-in Request for Recognition seeking to represent certain employees of the Employer, and to add them to an existing Board-certified unit. The substantial evidence is sufficient. No objections have been filed. The Employer has complied with the posting requirements.

Vice Chairman Gillmor moved that the Board certify the Employee Organization as the exclusive representative of all employees subject to the request, and add them to the Employee Organization’s existing unit. Board Member Verich seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
Affirmed  X
Denied

9. Case 06-REP-08-0107 Federation of Ordinance #7-91/#161-99 Employees and City of Alliance

The Employee Organization filed a Request for Recognition seeking to represent certain employees of the Employer. The Employer responded by filing objections. A conference call was conducted. The Employee Organization has now filed a letter withdrawing the request.

Board Member Verich moved that the Board construe the Employee Organization’s letter as a motion to withdraw, grant the motion, dismiss without prejudice the Request for Recognition, and deny the Employer’s objections as moot. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
Affirmed  X
Denied
10. Case 07-REP-01-0010  
Stonelick Township Professional Firefighters, IAFF, AFL-CIO and Stonelick Township, Clermont County

The Employee Organization filed a Petition for Representation Election seeking to represent certain employees of the Employer. The Employee Organization failed to file substantial evidence in support of the petition.

Vice Chairman Gillmor moved that the Board dismiss without prejudice the Petition for Representation Election because the Employee Organization failed to file substantial evidence as required by O.R.C. § 4117.07(A)(1). Board Member Verich seconded the motion. Chairman Mayton called for discussion and asked if there has been a refiling by the Employee Organization. Labor Relations Specialist Tonya Jones responded that the Employee Organization has not yet refilled its petition. Chairman Mayton called for the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
Affirmed  X  Denied  

11. Case 06-REP-11-0163  
International Brotherhood of Teamsters Local #348 and Medina County Commissioners

On March 6, 2007, the Board conducted a secret-ballot election for certain employees of the Employer. On March 19, 2007, the Employee Organization filed a letter withdrawing the Petition for Representation Election. No response was filed by the Employer.

Board Member Verich moved that the Board construe the Employee Organization’s letter as a motion to withdraw, grant the motion, and dismiss without prejudice the Petition for Representation Election. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
Affirmed  X  Denied  

12. Case 07-REP-01-0001  
Fraternal Order of Police, Ohio Labor Council, Inc. and City of Wyoming

The Employee Organization is the Board-certified exclusive representative of certain employees of the Employer. The Employer filed a Petition for Amendment of Certification seeking to amend the existing unit to include the position of Police Clerk. The Employee Organization filed a letter stating it has no objection to the amendment. The proposed amendment appears appropriate.

Vice Chairman Gillmor moved that the Board approve the petition and amend the unit accordingly. Board Member Verich seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
Affirmed  X  Denied  

13. Case 07-REP-01-0016 Service Employees International Union, Local 3 and Medina County Commissioners

14. Case 07-REP-02-0022 General Truck Drivers, Warehousemen and Helpers Union No. 957 and Wright State University

15. Case 07-REP-02-0023 Service Employees International Union, Local 3 and Cuyahoga County Sanitary Engineer’s Office

16. Case 07-REP-02-0030 Fraternal Order of Police, Ohio Labor Council, Inc. and Marion County Sheriff

17. Case 07-REP-02-0033 Fraternal Order of Police, Ohio Labor Council, Inc./Fraternal Order of Police, Lodge 104 and Montgomery County Sheriff

The parties have jointly filed Petitions for Amendment of Certification. The proposed amendments appear appropriate.

Board Member Verich moved that the Board approve the jointly filed petitions and amend the units accordingly. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye GILLMOR: Aye VERICH: Aye
Affirmed X Denied

18. Case 07-REP-02-0032 Professionals Guild of Ohio, OFT/AFT, AFL-CIO and Montgomery County BOCC, Department of Job and Family Services, Division of Children Services

The Employee Organization is the Board-certified exclusive representative of certain employees of the Employer. The Employee Organization has filed a Petition for Clarification of Bargaining Unit seeking to clarify the existing unit to include Secretary I. The Employee Organization has now filed a letter to withdraw the petition. No response has been filed.

Vice Chairman Gillmor moved that the Board construe the letter as a motion to withdraw, grant the motion, and dismiss without prejudice the Petition for Clarification of Bargaining Unit. Board Member Verich seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye GILLMOR: Aye VERICH: Aye
Affirmed X Denied
19. Case 06-REP-12-0181 Willoughby Hills Fire Fighters, Local 3149 and City of Willoughby Hills

The Employee Organization is the Board-certified exclusive representative of certain employees of the Employer. The parties have jointly filed a Petition for Clarification of Bargaining Unit seeking to clarify the existing unit to include the rank of Captain.

Ohio Administrative Code Rule 4117-5-01(E)(1) and (2) provides for amendment of certification to alter the composition of a bargaining unit by adding, deleting, or changing the terminology of the bargaining-unit description. It further provides for a petition for clarification to determine whether a particular group of employees is already included in or excluded from the unit based upon the unit description and the duties performed by the employees in question. Unit clarification does not alter the status quo, but rather maintains it. Clarification is not the appropriate vehicle to add the rank of Captain.

Board Member Verich moved that the Board dismiss the Petition for Clarification of Bargaining Unit. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye GILLMOR: Aye VERICH: Aye
Affirmed ___ X ___ Denied ________

20. Case 06-REP-07-0095 Ohio Council 8, American Federation of State, County and Municipal Employees, AFL-CIO, Local 2001 and Mahoning County Department of Job and Family Services

The Employee Organization is the Board-certified exclusive representative of certain employees of the Employer. The Employer filed a Petition for Amendment of Certification seeking to exclude the positions of Administrative Assistant and Performance Analyst. The Employee Organization filed a position statement opposing the amendment. The Employer filed a response. The case was mediated by the Representation Section. Several follow-up conference calls were conducted. The parties were not able to reach an agreement concerning an appropriate bargaining unit.

Vice Chairman Gillmor moved that the Board direct this case to hearing to determine an appropriate bargaining unit and for all other relevant issues, and direct the parties to mediation. Board Member Verich seconded the motion. Chairman Mayton called for discussion and questioned whether sending the case to mediation will move the parties forward in executing a settlement agreement. Labor Relations Specialist Tonya Jones answered that this step will help the parties. Chairman Mayton called for the vote.

Vote: MAYTON: Aye GILLMOR: Aye VERICH: Aye
Affirmed ___ X ___ Denied ________
21. Case 06-REP-06-0081  
Ohio Council 8, American Federation of State, County and Municipal Employees, AFL-CIO and Scioto County Children Services Board

- There were 23 ballots cast
- There were 0 challenged ballots
- No Representative received 11 votes
- Ohio Council 8, American Federation of State, County and Municipal Employees, AFL-CIO received 12 votes and prevailed in this election.

22. Case 06-REP-08-0080  
Fraternal Order of Police, Ohio Labor Council, Inc. and Ohio Patrolmen’s Benevolent Association and Jefferson County Sheriff

- There were 6 ballots cast
- There were 0 challenged ballots
- No Representative received 0 votes
- Ohio Patrolmen’s Benevolent Association received 0 votes
- Fraternal Order of Police, Ohio Labor Council, Inc. received 6 votes and prevailed in this election.

23. Case 06-REP-09-0131  
Fraternal Order of Police, Ohio Labor Council, Inc. and Ohio Patrolmen’s Benevolent Association and City of Ashland

- There were 19 ballots cast
- There were 2 challenged ballots
- No Representative received 0 votes
- Ohio Patrolmen’s Benevolent Association received 7 votes
- Fraternal Order of Police, Ohio Labor Council, Inc. received 10 votes and prevailed in this election.

Board Member 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. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
Affirmed X Denied ________
24. Case 06-REP-11-0159  Ohio Patrolmen’s Benevolent Association and Fraternal Order of Police, Ohio Labor Council, Inc. and City of Westlake

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. On March 22, 2007, the Board directed an election to be conducted on April 11, 2007 pursuant to a Consent Election Agreement.

On March 22, 2007, the Incumbent Employee Organization filed a request to change the date of the representation election. No objections were filed.

Vice Chairman Gillmor moved that the Board direct an election to be conducted at a date, time, and place determined by the Representation Section in consultation with the parties. Board Member Verich seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
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IV. ADMINISTRATIVE LAW JUDGE RECOMMENDATIONS AT ISSUE:

1. Case 06-ULP-10-0525  Etta Miner v. State of Ohio, Department of Youth Services

2. Case 06-ULP-08-0394  Chauffeurs, Teamsters, Warehousemen & Helpers, Local 377, IBT v. Springfield Township Trustees, Mahoning County

3. Case 06-ULP-06-0306  Fraternal Order of Police, Ohio Labor Council, Inc. v. Miami County Park District

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

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
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V. UNFAIR LABOR PRACTICE CHARGE MATTERS AT ISSUE:

1. Case 06-ULP-11-0567

Communications Workers of America, Local 4501, AFL-CIO v. The Ohio State University

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (5) by installing surveillance cameras at the Lima Campus without notice. Information gathered during the investigation revealed that the installation of the security cameras in conspicuous places does not amount to a material influence upon wages, hours, or terms and other conditions of employment.

Vice Chairman Gillmor 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 Verich seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye GILLMOR: Aye VERICH: Aye

2. Case 06-ULP-11-0571

Utility Workers Union of America, AFL-CIO v. Nimishillen Township Board of Trustees, Stark County

The unfair labor practice charge alleges Charged Party violated Ohio Revised Code § 4117.11(A)(1), (2), (3), and (7) by interfering with the employees’ attempt to unionize and terminating the employment of Chris Peterson because he engaged in protected activity. A credibility issue exists with respect to the allegation that Charged Party’s Trustee Lynch told Mr. Peterson, “You not being straight with me and telling me about the union a month ago weighed in my decision to fire you. If you only would have made the union go away, you would still have a job.”

Board Member Verich moved that the Board find probable cause to believe an unfair labor practice has been committed, authorize the issuance of a complaint, refer the matter to hearing to determine if Charged Party violated Ohio Revised Code § 4117.11(A)(1), (2), and (3), but not (7), by interfering with the employees’ attempt to unionize and terminating the employment of Chris Peterson because he engaged in protected activity, and direct the parties to ULP mediation. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye GILLMOR: Aye VERICH: Aye
3. Case 07-ULP-01-0002  
Donald Keplar v. Hocking College

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (6) by interfering with the rights of employees. Information gathered during the investigation revealed Charging Party is not a "public employee" pursuant to Ohio Revised Code § 4117.01(C)(14).

Vice Chairman Gillmor 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 Verich seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
Affirmed

4. Case 07-ULP-01-0010  
Ohio Patrolmen’s Benevolent Association v. Sandusky County Commissioners

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (5) by hiring an additional interim employee to perform bargaining-unit work. Information gathered during the investigation revealed Charged Party may have unilaterally reassigned bargaining-unit work to an additional interim employee in violation of Ohio Revised Code Chapter 4117.

Board Member Verich moved that the Board find probable cause to believe an unfair labor practice has been committed, authorize the issuance of a complaint, refer the matter to hearing to determine if Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (5) by hiring an additional interim employee to perform bargaining-unit work, and direct the parties to ULP mediation. Chairman Mayton Gillmor seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
Affirmed  X
Denied
5. Case 07-ULP-01-0011  Perkins Education Association, OEA/NEA v. Perkins 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 posting a list of “frequently asked questions” in an attempt to disparage Charging Party. Information gathered during the investigation revealed that despite the timing of Charged Party’s explanation, which was made during negotiations, does not appear to undercut Charging Party’s authority and its ability to engage in meaningful collective bargaining.

Vice Chairman Gillmor 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 Verich seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye

6. Case 07-ULP-01-0015  Euclid Schools Secretaries United v. Euclid Board of Education

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(A)(1), (2), and (5) by removing bargaining-unit duties from the bargaining unit. Information gathered during the investigation revealed Charged Party had a duty to bargain over the reassignment of job duties of the Kronos Timekeeping System. The removal of the job duties from Charging Party’s unit to the Euclid Technical Employees Association bargaining unit does not amount to an Ohio Revised Code § 4117.11(A)(2) violation.

Board Member Verich moved that the Board find probable cause to believe an unfair labor practice has been committed, authorize the issuance of a complaint, refer the matter to hearing to determine if Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (5), but not (2), by reassigning the duties of the Kronos Timekeeping System from Charging Party’s bargaining unit to the Euclid Technical Employees Association’s bargaining unit, and direct the parties to ULP mediation. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
7. Case 07-ULP-01-0021  
Janet Crole v. West Carrollton Classified Employees Association

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 failed to show Charged Party’s actions were arbitrary, discriminatory, or in bad faith.

Vice Chairman Gillmor 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 Verich seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye

8. Case 07-ULP-01-0029  
Zane Trace Education Association, OEA/NEA v. Zane Trace 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 interfering with, restraining, or coercing employee Andrew Merriman in the exercise of his guaranteed rights. Charged Party filed a motion to dismiss this matter. Information gathered during the investigation revealed Charged Party’s Superintendent’s comment appears to interfere with, restrain, or coerce Mr. Merriman in the exercise of guaranteed rights. Charging Party failed to provide sufficient information to support the Ohio Revised Code § 4117.11(A)(3) allegation.

Board Member Verich moved that the Board find probable cause to believe an unfair labor practice has been committed, authorize the issuance of a complaint, refer the matter to hearing to determine if Charged Party violated Ohio Revised Code § 4117.11(A)(1), but not (3), by interfering with, restraining, or coercing employee Andrew Merriman in the exercise of his guaranteed rights, direct the parties to ULP mediation, and deny Charged Party’s motion to dismiss. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
9. Case 07-ULP-02-0054 Fraternal Order of Police, Capital City Lodge 9 v. The Ohio State University

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(A)(1), (3), (5), and (6) by interfering with a bargaining-unit member’s right to timely process a grievance, and by remaining unwilling to fulfill its obligation in a timely manner resulting in bad faith. Information gathered during the investigation revealed that despite repeated efforts to select an arbitrator, Charged Party remains unwilling to fulfill its obligation in a timely manner. Charging Party failed to provide sufficient information to support the Ohio Revised Code § 4117.11(A)(3) allegation.

Vice Chairman Gillmor moved that the Board find probable cause to believe an unfair labor practice has been committed, authorize the issuance of a complaint, refer the matter to hearing to determine if Charged Party violated Ohio Revised Code § 4117.11(A)(1), (5), and (6), but not (3), by bargaining in bad faith when it delayed the processing of a grievance in an attempt to interfere with the rights of a bargaining-unit member’s grievance and frustrate the collective bargaining process, and direct the parties to ULP mediation. Board Member Verich seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: __Aye____ GILLMOR: __Aye____ VERICH: __Aye____
Affirmed __X____ Denied __________

10. Case 07-ULP-02-0070 Deloris Williams v. State of Ohio, Department of Rehabilitation and Correction, North Central Correctional Institution, Steven Mannon, and Carrie Spradlin

The unfair labor practice charge alleged Charged Parties violated Ohio Revised Code § 4117.11(A)(1) and (3) by discriminating against Charging Party. Information gathered during the investigation revealed Charging Party failed to provide sufficient information to support a violation of the statute.

Board Member 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 Parties. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: __Aye____ GILLMOR: __Aye____ VERICH: __Aye____
Affirmed __X____ Denied __________
11. Cases 06-ULP-12-0618  
Ohio Association of Public School Employees, AFSCME Local 4, and Its Local 776 v. Lima Public Library

The unfair labor practice charges alleged Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (5) by failing to bargain in good faith, bypassing the Charging Party’s exclusive bargaining representative, and failing to accept or reject the entire Tentative Agreement. Information gathered during the investigation revealed Charged Party did not bypass the Charging Party’s exclusive bargaining representative during the December 19, 2006 Board of Trustees meeting. Charged Party did not act on the tentative agreement within the thirty-day period under Ohio Revised Code § 4117.10(B). The agreement was memorialized in writing on December 4, 2006, and Charged Party presented the agreement to the Board of Trustees on December 19, 2006. The Board of Trustees did not accept or reject the entire agreement at that meeting. Pursuant to In re City of Martins Ferry, SERB 89-021 (8-23-89), the tentative agreement was deemed accepted due to the legislative body’s failure to accept or reject the whole agreement.

Vice Chairman Gillmor 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 Verich seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
Affirmed  X  Denied

12. Case 07-ULP-01-0007  
General Truck Drivers and Helpers Union, Local 92 v. Tuscarawas Township Board of Trustees

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(A)(1), (3), (5), and (6) by failing to comply with the “contractually-mandated” articles regarding discipline and grievances. Information gathered during the investigation revealed the bargaining-unit members were still covered under the existing agreement even though International Brotherhood of Teamsters Local 113 (Local 113) was dissolved. The agreement was in place until December 31, 2006. Charged Party had an obligation to timely process the grievances through the previously negotiated grievance-arbitration process. Charging Party was acting as an agent of Local 113 and, therefore, acting as an agent or representative of the terminated members during the grievance process.

Board Member Verich moved that the Board find probable cause to believe an unfair labor practice has been committed, authorize the issuance of a complaint, refer the matter to hearing to determine if Charged Party violated Ohio Revised Code § 4117.11(A)(1), (5), and (6), but not (3), by failing to follow the contractual grievance procedure, and direct the parties to ULP mediation. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
Affirmed  X  Denied
13. Case 07-ULP-01-0012  
Ohio Patrolmen’s Benevolent Association v. City of Norton

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (5) by unilaterally modifying the prescription co-pay provision of the agreement. Information gathered during the investigation revealed the June 21, 2006 Conciliator award included the prescription co-pays that would become effective on January 1, 2007. On December 21, 2007, Charged Party sent a memorandum to all employees advising them of the increase. On January 1, 2007, Charged Party increased the prescription co-pay costs for Charging Party. Charged Party appears to have used its pending motion to vacate the conciliator’s award as a platform to increase the co-pays prior to any action on the motion.

Vice Chairman Gillmor moved that the Board find probable cause to believe an unfair labor practice has been committed, authorize the issuance of a complaint, and refer the matter to an expedited hearing to determine if Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (5) by unilaterally modifying the prescription co-pay provision of the agreement. Board Member Verich seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
Affirmed  X  Denied

14. Case 07-ULP-01-0014  
Sue Nagy v. Toledo City School District Board of Education, Sue Koester, Denise Onyia, Donald Haddox, and Jan Kilbride

The unfair labor practice charge alleged Charged Parties violated Ohio Revised Code § 4117.11(A)(1), (3) and (6) by retaliating against Charging Party for the exercise of her guaranteed rights, and by failing to timely process her grievances. Information gathered during the investigation revealed Charging Party has not established a prima facie case of discrimination for the Ohio Revised Code § 4117.11(A)(3) allegation. Charged Parties had an obligation to process the grievances in a timely manner rather than wait for the position to be filled.

Board Member Verich moved that the Board find probable cause to believe an unfair labor practice has been committed, authorize the issuance of a complaint, refer the matter to hearing to determine if Charged Parties violated Ohio Revised Code § 4117.11(A)(1) and (6), but not (3), by failing to timely process Charging Party’s grievances, and direct the parties to ULP mediation. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
Affirmed  X  Denied
15. Case 07-ULP-01-0022  

Toledo Federation of Teachers, Local 250, AFT, AFL-CIO v. Toledo Board of Education and Dr. Cecelia Adams

The unfair labor practice charge alleged Charged Parties violated Ohio Revised Code § 4117.11(A)(1) and (6) by failing to timely process Von Graffin’s grievance. Information gathered during the investigation revealed Von Graffin’s grievance is one of many Charged Parties have failed to process in a timely manner.

Vice Chairman Gillmor moved that the Board find probable cause to believe an unfair labor practice has been committed, consolidate this matter with Case No. 07-ULP-01-0014, authorize the issuance of a complaint, refer the matter to hearing to determine if Charged Parties violated Ohio Revised Code § 4117.11(A)(1) and (6) by failing to timely process Von Graffin’s grievance, and direct the parties to ULP mediation. Board Member Verich seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye VERICH: Aye

Affirmed  X  Denied

16. Case 06-ULP-11-0565  

Richard E. Alvarez v. Fraternal Order of Police Western Cuyahoga Lodge 25 – Lakewood Division

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(B)(6) by refusing to file a grievance. Information gathered during the investigation revealed Charged Party’s actions were not arbitrary, discriminatory, or in bad faith. Insufficient information was provided to substantiate Charging Party asked Charged Party to file a grievance. Charged Party’s decision not to pursue the issue was based upon the merits, including the fact that a grievance would be untimely filed, and not because of Charging Party’s criticism and support of a rival union. Under the grievance procedure, Charging Party could have initiated the grievance.

Board Member 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. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye VERICH: Aye

Affirmed  X  Denied

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(B)(1) and (2) by distributing a document to nonbargaining-unit members that they were entitled to representation by Charged Party if they operated certain equipment, and by misrepresenting a Court of Common Pleas’ ruling. Information gathered during the investigation revealed Charging Party lacked standing to allege an Ohio Revised Code § 4117.11(B)(1) violation since it cannot show harm has occurred to it due to the actions of Charged Party. Charging Party alleges only the potential for harm; therefore, the allegation is premature. The information provided failed to show how Charged Party’s pursuit in the jurisdictional dispute caused or attempted to cause Charging Party to commit a violation. Pursuant to Ohio Revised Code § 4117.11(D), jurisdictional work disputes can be presented to SERB by a party to the dispute.

Vice Chairman Gillmor 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 Verich seconded the motion. Chairman Mayton called for discussion and the vote.

Affirmed  X  Denied

18. Case 06-ULP-11-0584  Craig Hummel v. Ohio Education Association

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(B)(6) by failing to take Charging Party’s grievance to arbitration. Information gathered during the investigation revealed Charged Party’s actions were not arbitrary, discriminatory, or in bad faith. Charging Party quit his job. The Employer accepted the resignation and was unwilling to allow Charging Party an opportunity to return to work. Charged Party attempted to get the Employer to reconsider its position. The grievance was denied, and Charged Party determined the grievance lacked merit to take it to arbitration. No violation is evident.

Board Member 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. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for discussion and the vote.

Affirmed  X  Denied

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (2) by failing to follow an arbitration award and filing an unfair labor practice charge to coerce Charging Party into not enforcing its statutory and contractual rights. Information gathered during the investigation revealed insufficient information was provided to show Charged Party interfered with the formation or administration of Charging Party. Charged Party’s actions were in response to a jurisdictional work dispute, and did not prevent Charging Party from performing any of its administrative duties. Charged Party had the statutory right to file unfair labor practice charges. Charged Party’s appeal of an arbitration award and Court of Common Pleas’ ruling did not constitute a violation of Ohio Revised Code Chapter 4117.

Vice Chairman Gillmor 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 Verich seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye GILLMOR: Aye VERICH: Aye
Affirmed X Denied


In Case 06-ULP-11-0592, the unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(B)(2), (3), and (6). Information gathered during the investigation revealed Charging Party failed to provide a clear and concise statement of the facts constituting the alleged violation. The Charging Party was notified in writing of the deficiencies, but failed to provide a clear and concise statement of facts alleging a violation of the statute.

In Case 07-ULP-01-0019, the unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(B)(2), (3), and (6) by refusing to process Charging Party’s grievances and attempting to have him sign a letter. Information gathered during the investigation revealed Charged Party pursued the grievance issues up to and including August 8, 2006, when it attempted to have Charging Party’s personnel file expunged of all disciplinary actions. Charged Party did not pursue the grievances to arbitration because it determined they lacked merit. Charged Party’s request that Charging Party “sign-off” on Charging Party’s demand for compensation does not rise to the level of a violation. Charged Party’s actions were not arbitrary, discriminatory, or in bad faith. Charging Party’s knowledge of not taking his grievances to arbitration no later than June 2, 2006, occurred more than 90 days before the charge was filed with the Board. No mitigating circumstances existed that warrant equitable tolling of the statute of limitations.
Board Member Verich moved that the Board dismiss Case 06-ULP-11-0592 with prejudice for failure of Charging Party to provide a clear and concise statement of the facts constituting the alleged unfair labor practice, and dismiss Case 07-ULP-01-0019 with prejudice for lack of probable cause to believe that an unfair labor practice has been committed by Charged Party, and as untimely filed for events occurring on or before October 15, 2006. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
Affirmed X  Denied

21. Case 06-ULP-12-0617  Fraternal Order of Police, Ohio Labor Council, Inc. v. City of Warren

The unfair labor practice charge alleged Charged Parties violated Ohio Revised Code § 4117.11(A)(1), (3), and (5) by threatening to modify health plans if Charging Party did not agree to 0% wage increases, and by informing bargaining-unit members that they were being removed from their preferred health plan to the traditional plan. Information gathered during the investigation revealed Charged Party discontinued the practice of offering the employees an alternate health plan and communicated the change directly to the bargaining-unit employees while the parties were in negotiations. Charged Party’s action may have been due to Charging Party’s position at the bargaining table over wages. The investigation failed to reveal an § 4117.11(A)(3) violation occurred.

Vice Chairman Gillmor moved that the Board find probable cause to believe an unfair labor practice has been committed, authorize the issuance of a complaint, and refer the matter to an expedited hearing to determine if Charged Party violated Ohio Revised Code § 4117.11(A)(1) and (5), but not (3), by informing Charging Party that it would unilaterally modify health plans if Charging Party did not agree to 0% wage increases and by dealing directly with bargaining-unit employees, and direct the parties to ULP mediation. Board Member Verich seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
Affirmed X  Denied
22. **Case 06-ULP-12-0624  Jackson County Commissioners v. United Mine Workers of America, Local 4231**

The unfair labor practice charge alleged Charged Party violated Ohio Revised Code § 4117.11(B)(3) by attempting to bargain directly with Charging Party at a public meeting. Information gathered during the investigation revealed Charged Party bypassed Charging Party’s bargaining representative while the parties were in negotiations, and presented questions and requests relative to the negotiations directly to the Commissioners at a public meeting.

Board Member Verich moved that the Board find probable cause to believe an unfair labor practice has been committed, coordinate this matter with Case 06-ULP-03-0128, authorize the issuance of a complaint, refer the matter to an expedited hearing to determine if Charged Party violated Ohio Revised Code § 4117.11(B)(3) by attempting to bargain directly with the Charging Party at a public meeting, and direct the parties to ULP mediation. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye

Affirmed [X]  Denied [ ]

23. **Case 06-ULP-12-0612  Timothy Gales v. State of Ohio, Department of Public Safety – Investigation Unit**

24. **Case 07-ULP-01-0009  International Association of EMT’s and Paramedics, NAGE/SEIU v. City of Norton**

Charging Parties have failed to pursue these matters.

Vice Chairman Gillmor moved that the Board dismiss the charges with prejudice for failure of the Charging Parties to pursue the matters. Board Member Verich seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye

Affirmed [X]  Denied [ ]
25. Cases 06-ULP-08-0392
   George Roulhac v. Southwest Ohio Regional Transit Authority
   06-ULP-08-0393
   George Roulhac v. Amalgamated Transit Union, Local 627

26. Case 06-ULP-08-0400
   Greater Cincinnati Building and Construction Trades Council, AFL-CIO v.
   Cincinnati City School District Board of Education

In Cases 06-ULP-08-0392 and 06-ULP-08-0393, the Board dismissed the unfair labor practice charge as untimely filed on December 14, 2006. Charging Party filed a Request for Reconsideration of the Board’s decision. Charging Party did not provide any new information not already considered by the Board or meriting reconsideration.

In Case 06-ULP-08-0400, the Board dismissed the unfair labor practice charge for lack of probable cause on December 14, 2007. Charging Party filed a Request for Reconsideration of the Board’s decision. Charging Party did not provide any new information not already considered by the Board or meriting reconsideration.

Board Member Verich moved that the Board construe the requests as motions for reconsideration, and deny the motions with prejudice. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
     Affirmed  X  Denied

27. Case 06-ULP-11-0570
   Greater Cincinnati Building and Construction Trades Council and Iron Workers, Local 44 v. Hamilton County Commissioners

28. Case 06-ULP-11-0570
   Owens Faculty Association and President David S. Matheny v. Owens Community College, et al.

29. Case 05-ULP-12-0641
   Ohio Patrolmen’s Benevolent Association v. City of Englewood

30. Case 07-ULP-01-0013
   Field Local Teachers Association, OEA/NEA v. Field Local School District Board of Education

31. Case 07-ULP-01-0033
   Stow-Munroe Falls Classified Employees Association, OEA/NEA v. Stow-Munroe Falls City School District Board of Education
32. Case 07-ULP-01-0043  Lorain Education Association, OEA/NEA v. Lorain City School District Board of Education


34. Case 07-ULP-03-0108  International Association of Fire Fighters, Local 1800 v. Clinton Township Board of Trustees, Franklin County

Vice Chairman Gillmor moved that the Board construe Charging Parties’ letters and notice as motions to withdraw, and grant with prejudice all of the motions to withdraw. Board Member Verich seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
Affirmed  X  Denied

VI. TABLED MATTERS:

1. Case 07-ULP-01-0003  Melinda Meehan v. Lucas County Children Services Board

The unfair labor practice charge alleged Charged Parties violated Ohio Revised Code § 4117.11(A)(1) and (3) by retaliating against Charging Party for the exercise of her guaranteed rights. Information gathered during the investigation revealed that Charging Party, in her capacity as a steward, held a meeting with members of Charged Party’s management team. The meeting did not include Charging Party’s direct supervisor. When Charging Party’s direct supervisor began work on Charging Party’s performance evaluation, she received a total of 32 out of a possible 63 points. Charging Party’s previous evaluations contained 56, 58, and 58 points respectively, out of a possible 63 points. The timing of the evaluation makes it suspect since the evaluation was only four days after the meeting in question.

Board Member Verich moved that the Board find probable cause to believe an unfair labor practice has been committed, authorize the issuance of a complaint, refer the matter to hearing to determine if Charged Party violated Ohio Revised Code § 4117.11(A)(1), but not (3), by retaliating against Charging Party for the exercise of her guaranteed rights, and direct the parties to ULP mediation. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for discussion and asked whether Charging Party had received an upward adjustment in her performance evaluation. General Counsel Russ Keith answered that it was adjusted from 32 to 43 points. Chairman Mayton then expressed that this adjustment did not affect his view that an unfair labor practice may have occurred, and he then called for the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
Affirmed  X  Denied
2. Case 06-MED-09-1131  Ohio Patrolmen’s Benevolent Association and City of Ashland

Vice Chairman Gillmor moved that the Board lift the matter from the table. Board Member Verich seconded the motion. Chairman Mayton called for the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
Affirmed  X  Denied

The Fraternal Order of Police, Ohio Labor Council, Inc. ("Rival Employee Organization") filed a Petition for Representation Election (Case 06-REP-09-0131) seeking to replace Ohio Patrolmen’s Benevolent Association ("Incumbent Employee Organization") as the exclusive representative for a bargaining unit of Police Officers of the City of Ashland ("Employer"). The Incumbent Employee Organization filed with SERB a Notice to Negotiate concerning negotiations with the Employer. In late January 2007, the parties entered into a consent election agreement. On February 15, 2007, the Board directed the representation matter to an election on March 20, 2007.

On February 26, 2007, the Employer filed a motion to stay negotiations (in Case 06-MED-09-1131) until the representation question has been resolved. The Incumbent Employee Organization did not file a response to the motion.

The Board certified the results of the secret-ballot election earlier in this Board Meeting. As a result, the Rival Employee Organization received 10 votes and prevailed in the election.

Board Member Verich moved that the Board deny the motion to stay negotiations as moot. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye  GILLMOR: Aye  VERICH: Aye
Affirmed  X  Denied

VII. ADMINISTRATIVE MATTERS

A. Babbage Simmel Statement of Work – SERB Website

Executive Director Art Marziale reported that the Research and Training Section is evaluating the effectiveness of the Clearinghouse upgrade before it is placed on the website for the public’s use. He mentioned that the staff has said the website is well designed. We now need some objective evaluation by our users to let us know their comments on it.

Chairman Mayton gave a brief history of how this process of using the web-site transpired. He mentioned that at the time we started this project we had a mediator in the Bureau of Mediation who had the knowledge and interest of designing a website for the agency. At this time due to the mediator’s departure from the agency, we did not
have the ability to modify this website, which needs to be done now as it is “the face” of our agency. We now have contracts and fact-finding and conciliation reports on our website that are available for the public’s use. We need to see what is available to improve our system in assisting the parties’ needs and requests, and constituents have requested a “searchability” factor to assist their needs.

Vice Chairman Gillmor mentioned that in the Statement of Work, which was prepared by Babbage Simmell, how significant it would be to see what is being read on our website, what is not, and what more is needed on the website. Executive Director Marziale discussed further with the Board that in order to improve our website, he proposed the Board enter into a contract for the Website Improvement Initiative as set forth in the Statement of Work prepared by Babbage Simmell.

Vice Chairman Gillmor moved that the Board authorize the Executive Director to enter into a contract for the Website Improvement Initiative as set forth in the Statement of Work prepared by Babbage Simmel not to exceed the amount of $8,000.00. Board Member Verich seconded the motion. Chairman Mayton called for discussion and the vote.

Vote: MAYTON: Aye GILLMOR: Aye VERICH: Aye

Affirmed __ X __ Denied __________

B. **Lease Renewal**

Executive Director Marziale discussed with the Board the renewal lease for the agency with the building management and Department of Administrative Services (DAS). After some lengthy negotiations with the building’s representative, a rate of $14.50 per square foot was negotiated. In order to obtain this amount, it was negotiated that SERB would not have any carpet replaced during the lease term, but general repairs would still be provided for in the lease. As a result, SERB will forego having any new carpet installed unless a safety concern was present. Executive Director Marziale mentioned that DAS would not approve a lease where repairs would not be included in a contract. He also stated that repairs would be done as needed, and if the carpet were damaged in some way, that would be replaced. Chairman Mayton mentioned that the DAS representative, Ms. Patrell, worked very diligently with them during their meetings in order to work things out for both sides to benefit, and Chairman Mayton expressed his appreciation for her efforts. Board Member Verich asked what SERB is currently paying, and Executive Director Marziale stated that it was $14.00 per square foot. Executive Director Marziale indicated that he will now sign off on the lease for the agency and send it over to DAS for its final approval.
C. **Executive Session: Candidate Interviews – Mediator Position**

Board Member Verich moved that the Board go into executive session pursuant to Ohio Revised Code §121.22(G)(1) to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of public employees. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for the roll-call vote.

**Roll-Call Vote:**
- MAYTON: Aye
- GILLMOR: Aye
- VERICH: Aye

Affirmed X Denied

Vice Chairman Gillmor moved that the Board exit from Executive Session. Board Member Verich seconded the motion. Chairman Mayton called for the vote.

**Roll-Call Vote:**
- MAYTON: Aye
- GILLMOR: Aye
- VERICH: Aye

Affirmed X Denied

D. **Candidate**

General Counsel Russ Keith recommended that the Board select Brian Eastman as the new Mediator in the Mediation Department. Board Member Verich moved that the Board authorize the hiring of Brian Eastman as a Mediator, in the pay range of 15, Step 4, and to start work as soon as possible. Vice Chairman Gillmor seconded the motion. Chairman Mayton called for discussion. Ed Turner, Administrator for the Bureau of Mediation, commented that he concurred with the recommendation that the Board hire Mr. Eastman due to his credentials, and feels Mr. Eastman will bring to the agency a complete package of knowledge and experience to the Bureau of Mediation. Mr. Turner expressed that Mr. Eastman has a lot of desire and teamwork abilities, and is highly motivated; in addition, a high level of leadership will be ultimately expected from Mr. Eastman.

Chairman Mayton stated that he is voting for Mr. Eastman because during his interview he was very thorough in his thought process, his answers to the hypothetical scenarios were very good, his mediation philosophy is sound, and he was the best of the nine candidates interviewed during the first round of interviews and the best of the three candidates interviewed by the Board during the second round. Chairman Mayton was also impressed by the recommendations given to him by the staff, especially Mr. Turner. Also important is the fact that the Board is replacing Tom Worley, who is an attorney with strong IT credentials and significant field experience. Mr. Eastman brings all three of these characteristics to this position. Chairman Mayton believed that Mr. Eastman is an ideal fit for the agency.
Vice Chairman Gillmor commented that, with all of the experience Mr. Eastman has in labor management, with community labor-management committees, and in bargaining at the table for both union and management, not to mention the benefit of having another attorney on staff, the choice of Mr. Eastman is a great benefit for SERB.

Board Member Verich also expressed his support in the hiring of Mr. Eastman, and his comments were that he felt SERB would be hard pressed to find anyone who was a labor chief counsel that had worked with the State of Ohio’s Office of Collective Bargaining and the experience that went with it, not to mention all of the impressive credentials he has, and that Mr. Eastman is definitely an ideal fit for the agency and for the Bureau of Mediation.

General Counsel Russ Keith also commented that Mr. Eastman is committed to collective bargaining, especially when he worked for the State of Ohio’s Office of Collective Bargaining and with the Ohio Civil Service Employees Association. General Counsel Keith and Executive Director Marziale will have to work with Fiscal Officer Sandy Stiffler to see what information would be needed to establish a starting date. It is possible that a starting time could be after the next pay period, which was acceptable with the Board.

With no further discussion, Chairman Mayton called for the vote.

Vote: MAYTON: Aye GILLMOR: Aye VERICH: Aye
Affirmed   X   Affirmed
Denied

VIII. ADJOURNMENT

Vice Chairman Gillmor moved that the Board adjourn the meeting. Board Member Verich seconded the motion. Chairman Mayton called for the vote.

Vote: MAYTON: Aye GILLMOR: Aye VERICH: Aye
Affirmed   X   Affirmed
Denied

/s/ Craig R. Mayton
Craig R. Mayton, Chairman