

**IN THE MATTER OF FACT-FINDING  
BETWEEN**

<b>CITY OF INDEPENDENCE</b>	)	<b>CASE NOS. 12-MED-09-0904</b>
	)	<b>12-MED-09-0905</b>
	)	
<b>AND</b>	)	
	)	<b><u>FINDINGS</u></b>
	)	<b>AND</b>
<b>FRATERNAL ORDER OF POLICE</b>	)	<b><u>RECOMMENDATIONS</u></b>
<b>LODGE NO. 67</b>	)	

**JAMES M. MANCINI, FACT-FINDER**

**APPEARANCES:**

**FOR THE FOP**

**Robert M. Phillips, Esq.**  
**Chuck Wilson, Lieutenant**  
**Brian Kavaras, Patrol Officer**  
**Jim Green, Patrol Officer**  
**Bryan Vitron, Patrol Officer**

**FOR THE CITY**

**Joseph F. Lencewicz, Esq.**  
**Joseph Lubin, Human Resource Director**

## **SUBMISSION**

This matter concerns fact-finding proceedings between the City of Independence (hereinafter referred to as the Employer or City) and the Fraternal Order of Police, Lodge No. 67 (hereinafter referred to as the Union or FOP). The State Employment Relations Board (SERB) duly appointed the undersigned as fact-finder in this matter. The fact-finding hearing was held on May 29, 2013 in Independence, Ohio.

The fact-finding proceedings were conducted pursuant to the Ohio Collective Bargaining Law as well as the rules and regulations of SERB. During the fact-finding proceeding, this fact-finder attempted mediation of the issues at impasse. It is pursuant to those mediation discussions that this fact-finder hereby issues his recommendations on the outstanding issues presented.

The two bargaining units consist of all patrol officers as well as sergeants and lieutenants employed in the City's Police Department. There are currently eighteen full-time patrolmen, five sergeants, and four lieutenants.

This fact-finder in rendering the following recommendations on the issues at impasse has taken into consideration the criteria set forth in Ohio Revised Code Section 4117-14(G)(6)(7). The parties agreed that this fact-finder could issue his recommendations in summary fashion based on the mediation discussions which took place on May 29, 2013.

**1. LONGEVITY** - Maintain current language.

**2. SICK LEAVE ACCRUAL** - Cap at 120 hours per year.

**3. EMPLOYEE PICK-UP** - Maintain current language.

**4. WAGES** - Two percent (2%) increase in the first year; two percent (2%) increase in second year; and two percent (2%) increase in third year.

**5. PERFECT ATTENDANCE** - Eliminate and roll-in Five Hundred Dollars (\$500) after two percent increase is applied in first year.

**6. VACATION** - City's proposed language with following revision: New hires hired on or before July 1<sup>st</sup> will be credited with twenty (20) hours of vacation on December 31<sup>st</sup> to be used in the next calendar year

and

Employees who attain 25 years during the term of the three year CBA will be eligible for 240 hours of vacation.

**7. MEDICAL INSURANCE** - As committee recommended and implemented January 1, 2013.

**8. SNOW PLOWING** - Delete provision.

**9. SUBSTANCE ABUSE** - Proposal as submitted by the City.

**10. DURATION** - Three (3) years - January 1, 2013 through December 3, 2015.

### **CONCLUSION**

This fact-finder hereby submits the above referred recommendations on the outstanding issues presented.

**JUNE 6, 2013**

**James M. Mancini /s/**  
\_\_\_\_\_  
**James M. Mancini, Fact-Finder**

**JAMES M. MANCINI**

**ATTORNEY AT LAW - ARBITRATOR**

**JEFFERSON CENTRE, SUITE 306  
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LYNDHURST, OHIO 44124**

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June 6, 2013

IN THE MATTER OF FACT-FINDING BETWEEN:

CITY OF INDEPENDENCE	)	CASE NOS. 2013-MED-09-0904
	)	2013-MED-09-0905
AND	)	
	)	
FRATERNAL ORDER OF POLICE	)	<u>FACT-FINDING</u>
LODGE NO. 67	)	

**FEE STATEMENT:**

Hearing/Mediation (1 day).....	\$	950.00
Study & Preparation of Report (1 day).....	\$	950.00
Scheduling & Review of Pre-Hearing Statements (½ day).....	\$	475.00
Expenses:		
Transportation (26 miles x \$.55/mile).....	\$	14.30
Meals (1).....	\$	<u>10.56</u>
<b><u>TOTAL.....</u></b>	<b>\$</b>	<b><u>2,399.86</u></b>

**PAYABLE BY THE CITY (½).....\$ 1,199.93**

**PAYABLE BY THE FOP (½).....\$ 1,199.93**

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James M. Mancini /s/  
James M. Mancini, Fact-Finder  
Federal ID #84-1661482