

SPECIAL COMMISSIONERS MEETING - THURSDAY, MAY 29, 2008

Stephen D. Hambley called the special meeting to order at 11:31 a.m. with Sharon A. Ray present. Patricia G. Geissman was absent.

Mike Salay, County Engineer presented a resolution rejecting the fact-finding recommendations issued by Robert G. Stein, Arbitrator, on May 24, 2008, for the Medina County Engineer's Office and Teamsters Local 436.

Mr. Salay said much of the report was in favor of the employer regarding the issues that were brought up in the negotiations. From that standpoint, the fact finder's report was good to have, but there were some issues that the fact finder's report recommended that the County Engineer's Office found difficulty with. He recommended that the fact finder's report be rejected and listed the main issues that the County Engineer's Office could not agree with as follows:

- 1) Compensatory Time - two additional floating holidays/vacation days that he said there was no reason for.
- 2) Wages - rolling the commercial drivers' license (CDL) rate in the base rate of pay for each classification. Mr. Salay said it cannot be done both ways; it is either in the base rate or it is tacked on. There is conflicting contractual language in the report and he is prepared to offer alternative language to the fact finder.
- 3) Holiday Pay - double time for several holidays that would essentially equal triple time.

Ms. Ray asked what the duration of the contract was. Mr. Salay answered that it would be a three-year contract and the County Engineer's Office is agreeable to it being retroactive.

Ms. Ray questioned that it said, "Only employees assigned to a particular snow route would be permitted to do snow and ice control on that route". Mr. Salay said many things were discussed during the course of the negotiations that were management rights that the County Engineer's Office did not agree to. The fact finder agreed with the employer that the bargaining unit cannot tell the employer how to organize the employees. They need some flexibility because as soon as they would have a hard-set rule and they deviate from it - that could result in a grievance being filed.

Chris Jakab, County Administrator, asked if the Highway Engineer's Office legally requires the Board of Medina County Commissioners approve the resolution since the Commissioners are not a signing party to their agreement. Mr. Salay said the Commissioners are the contractual agent for his contract. Mr. Jakab stated that the law says that is the case if the Commissioners were appropriating more than 50% of the base salaries out of the General Fund, but it may be a technicality. The Commissioners do not hire the negotiating attorney. Mr. Salay said the inconsistency exists because the Commissioners have contracting authority that he does not have. Mr. Jakab said he does not believe that is correct, but it would not hurt to vote on it. Janine Sarnowski, Sanitary Engineer's Office, said they checked into it at the end of the last contract and found that the County Engineer still needed to come to the Commissioners. Mr. Salay said he would clarify that situation. Mr. Jakab said, if that is correct, the Board of Commissioners would have input on the negotiating process and the attorney selection.

Ms. Ray moved to approve the resolution to reject the fact-finding recommendations for the County Engineer's Office and the Teamsters Local 436. Mr. Hambley seconded the motion. There was no further discussion. Roll call showed both Commissioners voting AYE.

At 11:43 a.m., Ms. Ray moved to adjourn the meeting and Mr. Hambley seconded the motion.

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Resolutions Passed

NUMBER	RESOLUTION TITLE
08-0515	RESOLUTION REJECTING THE FACT-FINDING RECOMMENDATIONS ISSUED BY ROBOT G.STEIN, ARBITRATOR ON MAY 24, 2008, FOR THE OFFICE OF THE MEDINA COUNTY ENGINEER AND TEAMSTERS LOCAL 436

All deliberations concerning official business and formal actions by this Board of Commissioners were conducted in an open public meeting this twenty-ninth day of May, 2008.

Respectfully submitted,

Pamela M. Vereb, Clerk

COMMISSIONERS _____
Sharon A. Ray

OF _____
Patricia G. Geissman

MEDINA COUNTY _____
Stephen D. Hambley