

RESOLUTION NO. R-20-14

A RESOLUTION TO AUTHORIZE THE CITY TO ENTER INTO AN AGREEMENT TO EXTEND THE PERIOD FOR FACTFINDING AND AN AGREEMENT FOR A LIMITED WAIVER OF ORC §4117.14(G)(11) AND DECLARING AN EMERGENCY

WHEREAS, the City of Avon (Employer) and the FOP/OLC-Dispatch (Union) are parties to a current collective bargaining agreement (CBA) effective January 1, 2012 and expiring on December 31, 2014, now being negotiated in State Employment Relations Board Case No. 2014-MED-07-0938; and

WHEREAS, pursuant to ORC §4117.14(C)(5), the Factfinder's report is due no later than fourteen (14) days after appointment of the factfinder; and

WHEREAS, the Parties seek to enter into an agreement to extend the period for the issuance of a fact finding recommendation/report until April 1, 2015, and further to waive the provisions of Ohio Revised Code 4117.14(G) (11), but only to the extent necessary to allow a conciliator to issue an award on matters involving rates of compensation and/or matters with cost implications with an effective date that is on or after January 1, 2015.

WHEREAS, by agreeing to this Limited Waiver, the Parties do not, through such Waiver, indicate any individual or collective preference that any economic matter(s) be effective on a particular date pursuant to ORC §4117.14(C)(6), and not later than seven (7) calendar days after the factfinding recommendations are served; and

WHEREAS, the Council of the City of Avon, may, by a vote of three-fifths of the total membership, reject the recommendations; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVON, COUNTY OF LORAIN AND STATE OF OHIO:

Section 1 – That Council hereby authorizes the Mayor or his designee to enter into an “Agreement to Extend the Period for Factfinding and Agreement for a Limited Waiver of ORC §4117.14(G)(11)”, a copy of which is attached hereto and incorporated herein by this reference.

Section 2 – That it is found and determined that all formal actions of the Council of the City of Avon concerning and relating to the adoption of this Resolution were taken in an open meeting of the Council of the City of Avon and that all deliberations of this City's Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

Section 3 – That this Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to adopt an Agreement with the FOP/OLC-Dispatch to extend certain aspects of the collective bargaining process; therefore, this Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

Resolution No. 20-14 (Cont'd)

PASSED: _____ DATE SIGNED: _____

By: _____
Craig L. Witherspoon, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Ellen R. Young
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:

John A. Gasior, Esq.
Law Director