

North Canton City Council  
Personnel and Safety Committee

Resolution No. 93 – 2014

A resolution rejecting the Fact Finding Report dated November 28, 2014, regarding the City of North Canton, Ohio, Employer, and Ohio Patrolmen's Benevolent Association, Full-Time Dispatchers and Lead Dispatcher, Union, Case No. 2014-MED-05-0753, by Fact Finder Martin R. Fitts, and declaring the same to be an emergency.

WHEREAS, the City of North Canton and Ohio Patrolmen's Benevolent Association, Full-Time Dispatchers and Lead Dispatcher reached an impasse in their efforts to enter into a new labor agreement; and

WHEREAS, as a result of the impasse, the State Employment Relations Board ("SERB") appointed Martin R. Fitts to serve as a fact finder; and

WHEREAS, after a hearing between the parties, the fact finder issued his findings and recommendations as to the unresolved issues presented for fact finding; and

WHEREAS, R.C. 4117.14(C)(6)(a) provides that within seven days after the findings and recommendations are sent, the legislative body, by a three-fifths vote of its total membership, may reject the recommendations; otherwise, if neither party rejects the recommendations, they are be deemed agreed upon as the final resolution of the issues submitted and a collective bargaining agreement shall be executed; and

WHEREAS, the Council of the City of North Canton rejects the fact finder's findings and recommendations:

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

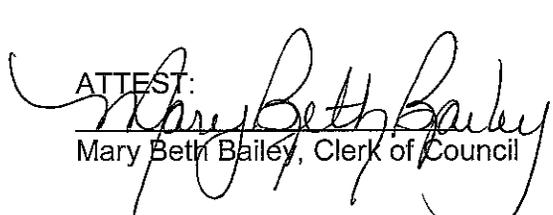
- Section 1. That the Council of the City of North Canton, Ohio hereby rejects the Fact Finding Report dated November 28, 2014, regarding the City of North Canton, Ohio, Employer, and Ohio Patrolmen's Benevolent Association, Union, Full-Time Dispatchers and Lead Dispatcher, Union, Case No. 2014-MED-05-0753, by Fact Finder Martin R. Fitts.
- Section 2. That within 24-hours of the vote count herein, the Director of Law for the City of North Canton be, and hereby is, authorized and directed to submit to SERB and the appropriate Union representative a certified copy of this resolution together with the SERB required certification form.
- Section 3. That if a provision of this resolution is or becomes illegal, invalid, or unenforceable, that shall not affect the validity or enforceability of any other provision of this resolution.
- Section 4. That this resolution is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City of North Canton and further necessary to timely reject, according to law, the aforementioned Fact Finding Report; wherefore, provided it receives the affirmative vote of six or more members of Council elected thereto, this resolution shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed by Council this 1<sup>st</sup> day of December, 2014

  
David Held, Mayor

Signed: 12/01, 2014

ATTEST:

  
Mary Beth Bailey, Clerk of Council