

# OHPELRA Update

THE OHIO PUBLIC EMPLOYER LABOR RELATIONS ASSOCIATION NEWSLETTER, WINTER, 2003

## Letter From The President

Happy New Year OHPELRA Members:

WE HAVE SURVIVED THE HOLIDAY season and a new year is here again (whew — where did last year go?) and the OHPELRA board is scurrying about getting ready for OHPELRA's Annual Training Conference. I hope this letter finds you anxious and excited anticipating the conference. You won't want to miss the annual OHPELRA Training Conference, February 2-4, 2003 at Cherry Valley Lodge in Newark. If you have not yet marked your calendar, **DO IT NOW!** If you have not yet registered, **DO IT NOW!** You can register on-line and download a copy of the conference brochure at [www.ohpelra.org](http://www.ohpelra.org). The program is guaranteed to be informative and the company is guaranteed to be warm, in spite of the cold winter weather.

OHPELRA did it again with the Fall Workshop! The seminar was a great success with over 140 in attendance; many attending an OHPELRA function for the first time. **Marc Fishel, Esq. and Lori Torrieri, Esq. of Downes, Hurst & Fishel**, really outdid themselves in presenting (more like facilitating) a very informative and lively discussion on *Public Sector Investigations: The 5 W's and More*. The participants were truly engaged in the exchange of issues surrounding investigations, timing, the importance of asking the right questions, who to interview and why, how to document and what to include and then what to do with the information. Lori and Marc shared experiences they have had in conducting investigations and emphasized the importance of doing it right the first time. For those of us who are "seasoned" or for those who are "new to the business," Lori and Marc shared some useful information and tips to guide us in our endless task of conducting investigations. Thank you again Lori and Marc for your presentation and to Downes, Hurst & Fishel, OHPELRA sponsors. Check out OHPELRA's newly updated website at [www.ohpelra.org](http://www.ohpelra.org). We hope you all look to OHPELRA for more, timely, insightful training and networking in the future.

We hope that your holidays were wonderful, and wish you a prosperous New Year!

Hope to see you in February!

Sincerely,



Stephanie R. Echols, President

## OHPELRA's Annual Conference is Coming Soon — Don't Miss It!

IN JUST A FEW WEEKS, OHPELRA's 19th Annual Training Conference will be held at Cherry Valley Lodge in Newark on February 2-4, 2003. The Annual Conference is always the high point of the OHPELRA year, combining the best professional training anywhere with fun time with colleagues and friends in a beautiful facility. All we need to make it perfect is you!

The program is full of exciting topics and speakers, with many fresh faces as well as many of our long-time favorites.

We open on Sunday afternoon with our pre-conference Leadership Forum; four of OHPELRA's past presidents will lead us through an informative and light-hearted look at unusual human resources issues and war stories in "OHPELRA's Believe It Or Not!" On Monday, attorney **Lynn Outwater**, a frequent SHRM national speaker, will give the keynote address on "Best Employment Practices for 2003 and Beyond." **Jonathan Downes and Marc Fishel** will share their popular "Legal Update," and **Margaret Morford** of HRedge, Inc. will talk on "Getting in Front of the Elephant — How to Earn Immediate Respect for Human Resources." Monday afternoon and Tuesday morning will feature concurrent sessions on a range of topics, including controlling health care costs, mid-term bargaining after SERB's *Toledo* decision,

*Continues on page 2*



OHPELRA Board of Directors meets at Cherry Valley to plan 2003 Annual Conference

# OHPELRA 2003 Annual Training Conference Registration Form

(or you may register online at [www.ohpelra.org](http://www.ohpelra.org))

Name: .....  
 First Name or Nickname: .....  
 Title: .....  
 Agency: .....  
 Address: .....  
 City: ..... State: ..... Zip: .....  
 Telephone: (.....) ..... Facsimile: (.....) .....  
 E-mail: .....

Fees		Total Enclosed:
Member Rate	\$195.00	\$ .....
Non-Member Rate	\$245.00	\$ .....

Single Day Registration **Only:**  Monday or  Tuesday (Check Day Desired)  
 Member Rate (one-day) \$ 100.00 \$ .....  
 Non-Member Rate (one-day) \$ 125.00 \$ .....  
 Please bill my organization: (TOTAL FEES) \$ .....

**If non-member, would you like to JOIN to take advantage of lower member rate?**  Yes  No

Is this your first OHPELRA Conference?  Yes  No

**NOTE: All checks payable to OHPELRA. Taxpayer ID# is 31-1614788.**

**Will you be attending the banquet on Monday, February 3, 2003?**

Yes  No

If yes, do you need a vegetarian entree?  Vegetarian

*Note: Dress is casual for banquet and all receptions, programs, and meetings.*

Registration fees, minus a \$40.00 administrative fee, will be refunded if the **written cancellation is received no later than January 30, 2003**. Substitutions may be made at any time. No refunds will be offered after that time.

Hotel reservations must be made **directly** with Cherry Valley Lodge. Please mention this conference to take advantage of our reserved block of rooms. **NOTE: Room block guarantee expires several weeks before the conference, so reserve your room early!**

Contact Cherry Valley Lodge for directions and information at  
 (740) 788-1200, or [www.cherryvalleylodge.com](http://www.cherryvalleylodge.com).

*Please mail or fax completed form to:*

Douglas E. Duckett, *OHPELRA Treasurer*  
 Butler County Department of Personnel  
 315 High Street, 6th Floor  
 Hamilton, Ohio 45011-6016  
 Phone: (513) 887-3257, FAX: (513) 785-5199



*OHPELRA's Annual Conference is Coming from page 1*

"bargaining with no money," handling the human side of layoffs, and implementing HIPAA for employers. As we close on Tuesday, we will hear about the major changes sweeping over PERS, and **Susan Gray and Cris Wildermuth**, very popular speakers from last year, will speak to us on how human resources professionals act as agents of diversity.

Finally, **Dr. Stephen Douglas** will close our program with a talk entitled "Keeping Perspective in a Changed and Changing World," with tips on keeping our bearings in a post-September 11 world. Dr. Douglas is both thought-provoking and delightfully funny; you won't want to miss him.

**Registration is closing fast; if you haven't done so, please register today!** You can register on-line at [www.ohpelra.org](http://www.ohpelra.org) or you can fax the registration form enclosed in this newsletter to **OHPELRA Treasurer Douglas Duckett at (513) 785-5199**. You must contact Cherry Valley directly to reserve a room; **call them at (740) 788-1200 and ask for the OHPELRA rate.**

See you at Cherry Valley!

# We Welcome New Members To OHPELRA!



Since the last edition of *OHPELRA Update*, the following 15 new members have joined our organization. Welcome to OHPELRA and NPELRA!

**Paul R. Berninger, Esq.**  
Partner  
Wood & Lamping, LLP

**Teresa Cramer**  
Director of Human Resources  
City of Circleville

**Alvin Evans**  
Associate Vice President for  
Human Resources  
Kent State University

**Anita Hager**  
Director of Human Resources  
Fairfield County  
Commissioners

**Mary Jane Harmon**  
Administrative Specialist  
Metropolitan Sewer District of  
Cincinnati

**Nancy Harvey**  
Director  
Seneca County Department of  
Job & Family Services

**Peggy Hopkins**  
Administrative Specialist  
Metropolitan Sewer District of  
Cincinnati

**Amanda Hyde**  
Human Resources Coordinator  
Butler County Children  
Services Board

**Juanita Jewett**  
Assistant Director, Engineering  
City of Portsmouth

**Karen L. Jones**  
Administrative Specialist  
Metropolitan Sewer District of  
Cincinnati

**Beverly Knapp**  
Human Resources Director  
Southeast Ohio EMS District

**Jackie Leisenheimer**  
Director of Human Resources  
& Fiscal Services  
Treasurer of State

**Bruce A. Mrofka**  
Labor Relations Manager  
Ohio Rehabilitation Services  
Commission

**Tamra Schaefer**  
Human Resources Manager  
Columbus City Attorney's  
Office

**Scott Vaca**  
Director of Sales  
CareWorks  
(New Sponsor)

## NPELRA Labor Relations Academy Draws Ohioans to Michigan

by **Douglas E. Duckett**  
*Butler County Personnel Director & Labor Counsel*  
*OHPELRA Treasurer & Past President*

FRESH AFTER OHIO STATE'S VICTORY over Michigan on the football field [ed. note — alumnus pride is showing], more than twenty Ohioans traveled north to East Lansing, Michigan to participate in the NPELRA Labor Relations Academy on the campus of Michigan State University. This was Academy I – the Foundation of Labor Relations, the first part of the three-part series. **Academy II – The Arbitration Process and Academy III – the Negotiations Process will be offered for the first time in Ohio, June 12 and 13, 2003, in Columbus.** Completion of the three parts plus a paper approved by the Academy Committee results in the designation as a "Certified Labor Relations Professional" (CLRP). You don't need to take the Academies in any particular order, so if you missed East Lansing, you can still jump aboard this valuable professional certification program. Keep your eye out for the materials next year, and let's make this fine program a big success here in Ohio!



## Conference Coordinator Jennifer Lawson Takes Helm at Lima YWCA; Leaves Board with OHPELRA'S Thanks

OHPELRA IS SERVED BY A volunteer Board of Directors with no paid staff, and one of our toughest jobs is the Conference Coordinator. This is the person who plans our meetings, picks the meals, makes sure the microphones are on, the tables are arranged correctly, and the Power Point projector is working. You can imagine how much goes into making our meetings go smoothly – actually, you probably can't until you've done it.

For the last two years, that role has been played by **Jennifer Lawson** of Allen County, and she has done an outstanding job, as is evident to all of you who have enjoyed our programs. For two years before that, she assisted **Andy Votava**

in planning our programs, so her imprint has been on our programs for quite a while. Jennifer has an exciting new opportunity; she was recently appointed as Executive Director of the YWCA of Lima, and she is thrilled with her new position. "I love the opportunity of feeling like I'm giving back to the community that has done so much for me over the years. I also love the diversity of the job, and the chance to lead the YWCA in developing a more expanded women's resource center, with the goal of

enhancing the economic empowerment of women and the promotion of diversity in the community. Plans in that area include reintroducing 'study circles' designed to bridge gaps in the community, with the YWCA in a lead role. Other programs include reducing teen pregnancy, a widow's support group, computer training, and offering women newly entering the workforce the opportunity to obtain low-cost clothing appropriate to a professional environment."

Unfortunately, this also means that Jennifer is leaving the public sector, at least for now. She bids a fond farewell to the OHPELRA board, but intends to keep coming to programs to stay current in the field. At the 2003 Annual Conference, please take a moment to thank Jennifer for all she has done to make our programs and our organization a success.



## Member Survey Generates Valuable Feedback

by James A. Sennish  
Erie County Director of Human Resources  
OHPELRA Board Member

WHEN OHPELRA ASKS MEMBERS FOR feedback, there's one thing the organization can count on: a strong response. To see if OHPELRA is meeting the needs of those it serves, officers and board members conducted telephone surveys over this past summer and fall. Calls were placed to over 100 members and the results were compiled and discussed at a recent board meeting.

"I'm pleased by the results of our survey and the feedback received," says **Stephanie Echols**, OHPELRA's President. "Our members provided excellent input on what OHPELRA is doing right, and direction on what we can do better." The purpose of the 2002 telephone survey was to gather information regarding OHPELRA's member service quality, the adequacy of our training programs and the usefulness of the organization's Web site, [www.ohpelra.org](http://www.ohpelra.org).

Members gave high marks to OHPELRA's training programs, especially the Annual Conference which many respondents believe is the best overall training program they attend each year. In addition, survey respondents said they highly value the camaraderie of the group and the quality of our publications, both newsletters and our conference training materials. Awareness and use of the OHPELRA Web site was not as high as hoped, but many of those responding indicated plans to increase use in the future.

The survey also allowed respondents to speak out, and their comments summarize the survey results.

"Wonderful organization! Wealth of knowledge for 'new kid on the block.'"

"If it ain't broke, don't fix it – love the group the way it is."

"Conference is as good as it gets, do more regional lunches – take it on the road."

"Offer more frequent training and updates."

"Really enjoy the variety of experts at annual conference."

"More networking amongst members."

"Just went through strike – found Web page invaluable."

"Thinks we do a bang up job compared to other groups. Need to push members to get more involved in projects like civil service reform."

"Would like to see more social activities as opposed to strictly training; golf outing, etc."

"Need more local training opportunities due to tight budget."

"Keep up the good work – I tell everyone I meet to join!"

The survey was also an opportunity to update OHPELRA records, particularly email addresses. The officers and Board of Directors would like to thank everyone who participated in the survey, and assure them that all their comments are appreciated and valued. Always feel free to share any other comments via our Web site, which has e-mail links to board members.

**"If it ain't broke,  
don't fix it —  
love the group  
the way it is."**



*In this New Year, the President, Officers and Board of Directors of the Ohio Public Employer's Labor Relations Association wish to take this opportunity to thank our sponsors for their dedicated support. Our organization's ability to provide high quality training, publications and web page is directly related to our sponsors' professional and financial commitment to our mission of educating, informing, and providing professional interaction opportunities to our members as we advocate for excellence in public sector labor relations and employee relations.*



**Stephanie R. Echols, President**



# OH PELRA SPONSORS

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### **Stephen L. Hopf**

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937-293-1600



# OHPELRA's Arbitration Reports

We continue our series of reports and summaries on arbitration decisions submitted by members. The views expressed herein are those of the member and do not necessarily represent any evaluation or opinion of OHPELRA or its Board of Directors. In this issue, we look at a disciplinary case:

## *Teamsters Local 100 v. Butler County Engineer*

Arbitrator: Mitchell B. Goldberg, Esq.

**Issue:** Employee of several years suspended for two days for failure to comply with directive from supervisor to schedule on-going physical therapy appointments as late in the day as possible to avoid disruption to work crew. Employee changed dates and time of appointments from Presidents' Day to work day, claiming therapist schedule conflict, but actually did so to avoid "losing the holiday." He then claimed child care issues – for boys ages 11 and 14.

**Outcome of the Case:** The Arbitrator upheld the suspension.

**Rating of the Arbitrator (with 5 as the highest):**

- (a) **Conduct of the Hearing:** 4 — Courteous to the parties; maintained fair and open demeanor.
- (b) **Grasp of the Issues:** 5 — He saw through the grievant's game playing.
- (c) **Soundness of the Overall Decision:** 5 — It was well reasoned and noted positions of both sides, without fudging.
- (d) **Avoidance of Bias:** 5
- (e) **Willingness to decide case rather than split decision:** 5 — It was a good, solid decision without throwing a bone to the union. He ruled against the employer on two procedural issues, but rulings were fair.
- (f) **Willingness to use this arbitrator again:** 5 — a professional, no-nonsense arbitrator.

For more information, please contact **Douglas E. Duckett**, Butler County Personnel Director & Labor Counsel, at (513) 887-3257.

*Have a case you want us to summarize? Please send the information in this format to Jim Sennish at JSennish@erie-county-ohio.net or to Doug Duckett at ducketttd@butlercountyohio.org.*



## OHPELRA's Fall Seminar Tackles Tough Issues in Investigations

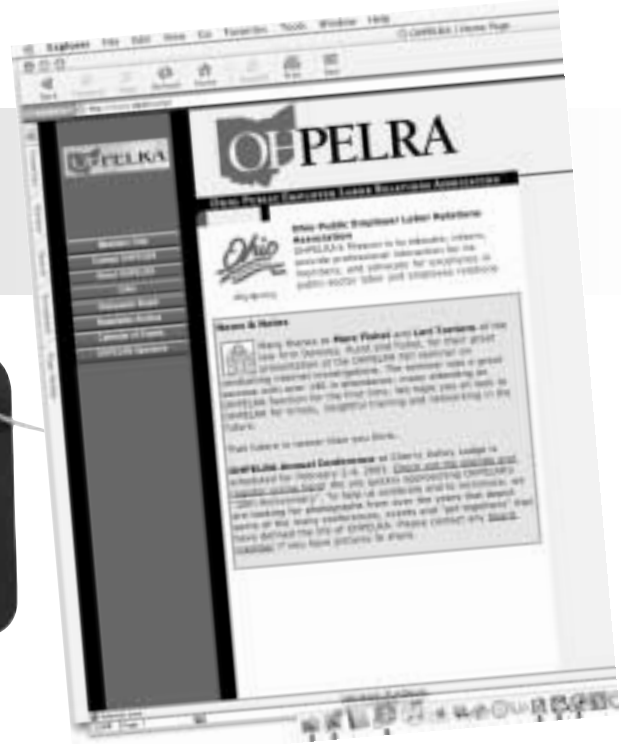
by Marsha Jordan-Smart, SPHR  
Greene County Human Resources Director  
OHPELRA Board Member and Past President

OVER 150 PEOPLE ENJOYED HEARING ATTORNEYS Marc A. Fishel and Lori F. Torriero discuss internal investigations... the **What, When, Why, Where, and Who** of conducting inquiries into alleged employee misconduct. "These simple questions will provide a solid foundation for conducting a thorough investigation," as stated in the excellent handbook we received at the program. The speakers outlined a number of issues specific to Ohio laws, due process requirements of an investigation, advantages and disadvantages of in-house investigators, and a number of ways to insulate employers from large jury verdicts and other liabilities. In addition, they fielded dozens of questions from the audience, allowing the members in attendance to shape the program and cover issues of particular concern to them. Thanks to our devoted sponsor Downes, Hurst & Fishel for an excellent education on how to navigate these difficult issues.

# Check Out OHPELRA'S Redesigned Web Site

JIM SENNISH MENTIONED OUR WEB site several times in his member survey article, but if you haven't noticed already, it has a new look and design. We hope that it's easier than ever to use; check it out for yourself at [www.ohpelra.org](http://www.ohpelra.org). We think you'll like what you see.

More is to come, including pictures. Check back often. And remember that any web site is only as good as its users make it, including posting and replying to postings on our message board.



c/o Butler County Department of Personnel  
315 High Street, 6th Floor  
Hamilton, OH 45011-6016

