

RECORD OF PROCEEDINGS

**Minutes of Franklin Township
Franklin County, Ohio**

Special Meeting

Held at 2193 Frank Road

January 10, 2019

Chairman Horn called the Special Meeting of the Franklin Township Board of Trustees to order at 5:30 p.m. on January 10, 2019, at 2193 Frank Road.

Horn opened the meeting.

Roll Call: Fleshman, yes; Horn, yes; Alex, yes.

Horn made a motion to suspend the Pledge of Allegiance and the approval of any prior meeting minutes. Fleshman seconded the motion. A vote was taken: Fleshman, yes; Horn, yes; Alex; yes.

The Purpose of this meeting: Local Union #1441 Grievance

Present for the Meeting:

- Ron DeLozier, Union President
- Union Steward, Carvel Mullins III
- Fire Chief Welch
- Fiscal Officer, Lisa Morris
- Assistant Fiscal Officer, Robyn Watkins
- Members of the public audience

Horn welcomed everyone and handed the meeting over to the Union President, Ron DeLozier.

DeLozier began by explaining that a firefighter filed a grievance with Union Local #1441 due to a payroll withholding. The fire fighter has been over paid since his first day of employment and when it came time to cash out time it was determined the fire fighter has been over paid for (5) five months, said DeLozier.

DeLozier said the fire chief, the employee and the Fiscal Office all came up with a different amount that the employee was overpaid. The Union legal counsel was consulted and they believe there is arbitration evidence here which shows the over payment is not the fault of the employee and he should not be responsible for paying the overpayment back. This payback would cause a hardship on the fire fighter, said DeLozier.

Fleshman asked DeLozier for clarification if the fire fighter does not want to pay the overpayment back or is he just asking for the accurate amount for which he needs to pay back? The fire fighter does not agree with the amount the Fiscal Department has calculated as the amount due and is asking for the calculations to be reviewed, replied DeLozier. The Assistant Fiscal Officer, Robyn Watkins stated that the fire fighter has not once spoke to the Fiscal Department to communicate that he feels there is a discrepancy in the amount calculated. Chief Welch stated that the fire fighter has a different set of numbers calculated. Again, Ms. Watkins repeated that the Fiscal Department has never seen any proposed calculations from the fire fighter. The Fiscal Officer, Lisa Morris pointed out on the email from the fire fighter where he agreed to the calculations and that the fire fighters provided to the Fire Chief a

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payment plan which was submitted to the Fiscal Department to begin withholding from his paycheck beginning in mid-December 2018.

Fleshman stated that he can tell there is a sense of frustration from both the Fire Department and the Fiscal Department, but it appears there is a simple solution if both parties work together. New calculations can be reviewed and shared with all parties to find the best resolution, said Fleshman.

The Fiscal Department distributed the email which the fire fighter had previously agreed to the payment plan. Once the first payment was withheld from the fire fighter's check he filed a grievance with Local Union #1441. The fire fighter did not follow the proper process for filing a grievance, said Ms. Morris.

Ms. Morris said the fire department continues to not follow their own grievance policy; their behavior is unprofessional, and unacceptable. They met with Paycor behind the backs of the Board and the Fiscal Department to discuss outsourcing payroll. These discussions have nothing to do with the Fire Department, said Morris.

DeLozier stated that this will need to go to arbitration as there is no viable solution on the table currently. Ms. Morris said, that the fire department's action is unacceptable because any issues brought to the attention of the Fiscal Department has addressed promptly. The Union Steward, Carvel Mullins III, shouted "time out, this has nothing to do with Paycor. Stop it! Stop the bickering! We have not done anything, we are done here." Alex interjected and said that we are not going to find a resolution in this conversation at this moment. Alex asked to move to next steps to take this to arbitration. A settlement cannot be handled in a heated conversation, said Alex.

Fleshman asked the Board to reconsider arbitration to avoid spending taxpayer dollars on legal fees. I feel this is an easy fix, said Fleshman. Horn asked if the Board could have a copy of the grievance. DeLozier said he has one and will need to make copies of the grievance for the Board. Again, Ms. Morris stated that the Union did not follow their own grievance policy in not providing a copy of the grievance to the Board prior to the formal meeting.

A form was presented to Mr. Horn to sign by the Union President to document the Board received the written grievance. Horn asked that when these issues come up in the future if the Local Union #1441 could reach out to him to assist in proper resolution.

Mike Blevins, a member of the audience asked the Union President if he could read the grievance out loud so the public could gain a better understanding of the grievance. Fleshman asked DeLozier to summarize the grievance to the members of the audience. The grievance is based on unapproved payroll withholding due to payroll overpayment, said, DeLozier.

Fleshman shared with the audience that this issue boils down to a fire fighter questioning the amount of money they owe back due to a payroll overpayment.

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Mike Blevins, a member of the audience said he heard that the employee agreed to pay back the initial payment plan and it appears now that the fire fighter has changed their mind. Delozier said that the fire fighter was only agreeing to the fact that they were overpaid not to the payment arrangements. Ms. Morris shared that the payment plan was created by the fire fighter and that the email was to confirm the plan and the dates which the withholdings would be taken out. This information is all outlined in the email between the fire fighter and the Fiscal Department, said Morris.

Welch reminded the Board that this issue is (4) four months old and has not been resolved. The Fiscal Department has never seen the proposed numbers from the fire fighter so how could a resolution have occurred, said Assistant Fiscal Officer.

The Assistant Fiscal Office explained to the Board that the fire fighter established the payment plan; the Fiscal Department did not pull these numbers out of the air. Ms. Morris explained that she has handled the firefighters pension fund for the over payment.

Mike Blevins, a member of the audience asked Chief Welch if he represents the Township and the taxpayers or do your represent the fire fighters? Welch, said he represents the Township and the taxpayers. Blevins said all he hears is the mistake that the Fiscal Department made without addressing the mistake that the employee made by not following the grievance process.

Alex asked the Union what they would like to see as next steps. Fleshman recommends again that we talk first before going into arbitration. Delozier said, we can communicate but he will not stop the grievance process.

Fleshman said if there is nothing more to discuss he will motion for adjournment. Alex seconded the motion. A vote was taken: Fleshman, yes; Horn, yes; Alex, yes.

The meeting adjourned at 6:08 p.m.

Ralph Horn, Chairman

Aryeh Alex, Vice-Chairman

John Fleshman, Trustee

Lisa Morris, Fiscal Officer
Robyn Watkins, Assistant Fiscal Officer

Minutes were taken and typed by: Robyn Watkins
Minutes approved by Board of Trustees on 1/24/19