

Labor Management Meeting Minutes

Date: 05/07/2007

Time: 1000-1045

Location: UTFD Station 51 Conference Room

Attendance: (IAFF Local 3412) President Osborne, Secretary Gilpin; (UTFD Management Staff) Chief Deimling, A/C Jackson

- **Diesel Particulate Testing:**
 - President Osborne asked Chief Deimling about his response to the letter requesting IAFF Local 3412 have diesel particulate testing done at Station 48.
 - Chief Deimling believes the air quality testing previously completed is adequate, and the results do not warrant further testing.
 - President Osborne explained that diesel particulate is a known carcinogen, which is produced and emitted by every truck, every time they go through the bay doors. President Osborne conveyed that diesel particulate travels differently, and the CO, and CO2 levels being within limits does not mean that employees are not being exposed to diesel particulate. Furthermore, the particulate testing is non-destructive, non-invasive, will not affect operations, and IAFF Local 3412 is going to pay for the testing.
 - Chief Deimling replied that Station 48 is Union Township property, and that the Local does not have permission to conduct the particulate testing.
 - President Osborne told Chief Deimling that the Local has been assured they have the right (according to O.R.C.) to test a potentially hazardous work environment, and the particulate testing is scheduled for May 16th at Station 48.
 - Chief Deimling reiterated that Station 48 is Township property and the Local does not have permission. Chief Deimling told President Osborne that if the Local does the testing, President Osborne will face discipline for insubordination. Chief Deimling conveyed to President Osborne that he has done more damage to the Union Township's Firefighters image in five months than he ever thought possible, and that the employer has "lost faith" in the Firefighters of Union Township.
 - President Osborne conveyed that this is important to address health concerns of the Local membership and that attempts of intimidation and threats of insubordination will not stop the testing.
- **Annual Physicals**
 - President Osborne inquired about Chief Deimling's response to the letter sent regarding annual physicals.
 - President Osborne conveyed that the Local is not necessarily against the annual physicals. The problem with the annual physicals is that there is no policy about what procedures are taken when someone needs follow-up testing, are to be placed on restricted duty, unable to return to duty, etc. The local membership is concerned about the lack of a standardized, written policy pertaining to these issues. The local believes the annual physicals can not be punitive in nature.
 - Chief Deimling has forwarded the letter from Local 3412 legal counsel to Union Township legal counsel for review.

- **Union Business**
 - UTFD management staff will ensure that there is no deviation from the collective bargaining agreement involving “Union Business” pertaining to, but not limited to: Article 4, Section 4.4, (Union Representation) and Article 15 (Grievance Procedure)
 - Pertaining to C.B.A. Article 15: Any grievance will be “presented” to a Captain, notification shall be made to the on duty, or on call Captain and schedule a time to “present” the grievance to said Captain. Timeline will start with presentation. Exception to timeline, (10 calendar days to present grievance) will be when Captain is unavailable to schedule “presentation” of grievance within 10 days of facts or circumstances giving rise to grievance; however Captain has to be notified of grievance within 10 calendar days, and “presentation” scheduled at that time.
 - E-mail policy regarding the items has been sent to UTFD officers.
- **Appeals process for refusal of public information**
 - Local 3412 request for numbers/ budget pertaining to reorganization plan.
 - Chief Deimling said the budget is a “work in progress” and that it is not public information. The local will not be given the request. Chief Deimling is not aware of an appeals process.
- **Religious event policy**
 - Review and discussion between Local 3412 and UTFD management regarding proposed revisions to be sent back to attorney’s.
- **Policy for “First Emergency First” situations**
 - Chief Deimling does not feel a policy will give enough leeway for the officers to make decisions based on the circumstances at hand.
 - Chief Deimling wants the officer’s to make decisions based on the information, and if no officer is present Firefighters can contact an officer for guidance when unsure.
 - Local 3412 agrees with Chief Deimling’s decision.
- **Replacement of dilapidated dayroom furniture**
 - Chief Deimling wants the Station Captain’s (when assigned) to make recommendations about replacement of station furniture.
- **Station 48’s stairs**
 - Chief Deimling said the Union Township Service Dept. is handling the repair/ replacement of both stairwells at Station 48. The Service Dept. is handling the bids for contractors to perform the work.
- **Citations from UTPD**
 - Chief Deimling has contacted UTPD about the citation given to Mike Smith. UTPD is obligated to give citations for “at fault” accidents. Chief Deimling was told that Mike Smith admitted to hitting the vehicle in his statement on the scene.
 - President Osborne asked if Union Township will provide Mike Smith legal assistance.
 - Chief Deimling said the township will not provide any legal assistance in these matters.

- **Restricted Duty**
 - President Osborne inquired about the exact process for requests for restricted duty.
 - Chief Deimling responded that as soon as an employee finds out they are not fit for full duty they need to notify UTFD through the chain of command, and provide detailed documentation from the doctor about restrictions.
 - The information will be presented to the Fire Chief and the Fire Chief will make the decision to grant or refuse restricted duty. The Union Township administrator will be consulted during the process.
- **Miscellaneous**
 - Chief Deimling conveyed that use of the Garrity Rights on Union Township statements will no longer be allowed, except for the first two sentences. Any statement containing more than the first two sentences will be rejected. Chief Deimling has been advised by Union Township legal counsel that this policy does not violate any employee's rights.

Minutes Respectfully Submitted,

Christopher A. Gilpin
Secretary, I.A.F.F. Local 3412