

Backers, opponents debate merits of Senate Bill 5

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By [Joe Vardon](#) and [Jim Siegel](#)

At one end of the table sat the presidents of statewide police and firefighter unions. At the other, a former Cincinnati city councilman.

There to debate the pros and cons of state Issue 2, the police officer, firefighter and former local official engaged in impassioned discussion over a provision of Senate Bill 5 that applies only to safety forces: the elimination of binding arbitration.

Mark Sanders, president of the Ohio Association of Professional Fire Fighters, and Jay McDonald, president of the Fraternal Order of Police of Ohio, argued that a third-party arbiter brings fairness to collective bargaining and is what forces local government officials to bargain honestly with their police and fire unions.

Jeff Berding, a former Cincinnati councilman and Democrat who supports Issue 2, argued that public and union pressure would force local officials to bargain fairly.

Sanders and McDonald, representing the Democratic labor coalition We Are Ohio, which opposes Issue 2, and Berding, representing the GOP's Building a Better Ohio, debated in front of *Dispatch* editors and reporters yesterday.

"Let's be real clear, you still have elected officials accountable to the citizens ... just the nature of the political process, we want the support of unions," Berding said.

"They vote. They give us endorsements that matter. They give us money."

Binding arbitration exists for safety-service providers such as police officers, firefighters, corrections officers and emergency dispatchers who were barred from striking by Ohio's current collective-bargaining law passed in 1983.

In addition to removing binding arbitration from collective bargaining, Senate Bill 5 eliminates the right for the rest of Ohio's public employees to strike and would allow local government officials to accept their own last contract offer to their employees.

“To me, it’s not bargaining unless both sides have some stake in the matter,” McDonald said. “Public employees will have no stake. ... We can say we want more staffing, we can say we want better equipment, we can say we want better training. We can say we want whatever we want to say we want, and if they say no, that’s the end of it.”

In January, *The Dispatch* reported that since 2008, fewer than 2 percent of contract negotiations have been resolved by an outside arbitrator. In wage disputes, arbitrators have ruled down the middle: 10 wins for unions, and an equal number for cities, counties and other public employers.

“To say that public employees would no longer have a voice, let’s be honest, public employee unions are the only unions in the country that get to help pick their bosses,” said Berding. “To take on the unions is to end your political career.”

Sanders said, “The public trusts us, trusts what we do, and they appreciate our work.”

The Cincinnati fire lieutenant also said he didn’t “think there was a gun to their heads” when asked if local governments approve contracts based on union pressure.

Meanwhile yesterday, just down the street, the Columbus Metropolitan Club hosted a spirited Issue 2 debate before a packed room, including a few tables purchased by public unions.

Dale Butland, spokesman for Innovation Ohio, a liberal policy-research group, said Issue 2 is “a shameful attempt to pit Ohioan against Ohioan, private worker against public worker and the middle class against itself.”

But Sen. Keith Faber, R-Celina, countered: “The other side wants to make Issue 2/Senate Bill 5 all about hype, hyperbole and emotion,” and they have yet to offer alternative ideas.

Faber said the issue is not an attack on public workers, but a math problem. He asked what puts public workers at greater risk: layoffs because governments do not have the money to pay rising labor costs, or asking employees to pay 15 percent of health-insurance premiums and 10 percent of their pensions?

“It’s a pretty easy decision for the taxpayers,” said Faber, the No. 2 GOP leader in the Senate. “If you keep giving benefits you can’t afford, benefits that are out of touch with the private sector, ultimately you have fewer workers, you raise taxes or you have fewer services.”

Faber also emphasized the need to eliminate automatic salary step increases and replace it with merit pay.

“The best teachers in the school district get paid exactly the same as the worst teachers with the same experience,” he said. “The performance-based compensation structure is probably one of the best things we can do to improve education and the quality of government services.”

Butland said there is nothing wrong with looking at new ways to compensate workers, but judging the performance of police officers, firefighters, nurses and other employees is very

difficult. He said the law as it relates to teacher pay is a “ridiculous, one-size-fits-all, five-criteria-everybody’s-got-to-consider plan that is a recipe for failure.”

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