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Maxine Goodman Levin College of Urban Affairs

Feasibility Study of Consolidating Public Safety Answering Points in Perry County, Ohio

Prepared for

Perry County Board of Commissioners

Prepared by

The Center for Public Management

Revised August 5, 2013

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Abstract

This report provides an assessment of the feasibility of consolidation of the public safety answering points (PSAPs) in Perry County, Ohio and the Village of New Lexington (in Perry County), Ohio. The report describes the methodology used to assess the feasibility of consolidating these PSAPs. The findings are that consolidation of PSAPs and dispatch services among the participating entities would not be feasible if the decision is made purely on costs. However, a consolidated PSAP would reduce the duplication of services and redundant capital projects. This in turn would free up funds to maintain and replace capital items as they expire. Capital costs would also be reduced and evenly distributed for large items from year-to-year. Instead of the duplicate purchase of expensive equipment by several communities, the cost of large capital will be distributed over a larger base of beneficiaries. Centralization will reduce the physical blueprint of dispatch operations which in turn should reduce operating costs such as natural gas, electric, and maintenance. Given the proposed investment in high quality equipment, facilities, and staff, the level and quality of service provided by a consolidated dispatch center should exceed those currently being supplied by these entities.

Key Words

9-1-1, 9-1-1 communications, dispatch, consolidation, emergency dispatch, merger, public safety answering point, PSAP, regionalization, shared services, public safety, police, fire, emergency medical services (EMS), emergency medical dispatch (EMD)

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Preface

Entities look to consolidate services for a number of reasons. While cost savings may be among the most prevalent, in the case of 9-1-1 call centers, safety is perhaps the most compelling. The 9-1-1 communications personnel are a principal point of contact for emergencies, and as such, have the potential to make life or death decisions every time they pick up the phone or engage with public safety officials on the radio.

A 9-1-1 supervisor suggested that it is the dispatcher's job to ensure public safety personnel return home every day. In addition, communications personnel are responsible for getting public safety forces to the site of an emergency as quickly as possible.

When law enforcement, fire fighters, emergency medical service (EMS) personnel, or citizens call 9-1-1 dispatchers, lives may be at stake. In reviewing this report, it is important to recognize that it is the responsibility of government to not only consider how this type of service can be provided in a cost effective manner, but also how to maintain a high quality of service and public safety. Understaffing and inconsistent or inadequate training can result in lawsuits that may be more costly in the long run than improvements to the system.

Executive Summary

During the process of evaluating feasibility, participants in the Perry County feasibility study meetings (Perry County Advisory Group) indicated that cost and quality of dispatch services would be the principal criteria used to assess the feasibility of consolidating Public Safety Answering Points (PSAPs).

In addition to the criteria identified by the Perry County Advisory Group, the Center for Public Management (PM) determined that is legally and technologically feasible to consolidate. These concepts are defined as follows:

- Legal feasibility – Current Ohio law authorizes counties, cities, and villages individually to provide for public safety dispatch services and also to provide in a variety of ways to engage in collective action to provide that service for the protection of public safety
- Technological feasibility – Technology is available to enable participants to communicate with a consolidated PSAP.

In the end, whether or not the consolidation of PSAPs in Perry County is determined to be feasible depends upon how heavily decision-makers weight “cost versus quality.” Using a “cost” framework and assuming no short-term investment is needed in expensive capital or equipment, it is not feasible, for Perry County to consolidate PSAPs at this time.

Conversely, if a high value is placed on providing dispatch and call-taking services in alignment with national standards and providing adequate staffing levels, then it is a good use of resources to consolidate PSAPs.

Factors which may improve the cost-effectiveness of consolidation in the future include the need for a major investment in capital or equipment, the regionalization of jails or the decision to create a regional PSAP with neighboring counties.

Background

Perry County, located east of Columbus, Ohio, has a 2010 population of 36,058 and comprises 412.49 square miles. The county encompasses the villages of Corning, Crooksville, Glenford, Hemlock, Junction City, New Lexington, New Straitsville, Rendville, Roseville, Shawnee, Somerset, and Thornville; and 14 townships: Bearfield, Clayton, Coal, Harrison, Hopewell, Jackson, Madison, Monday Creek, Monroe, Pike, Pleasant, Reading, Salt Lick, and Thorn. In addition to these villages and townships, Perry County has unincorporated communities which include; Bristol, Milligan, Mounty Perry, Moxahala, Rehoboth, and San Toy. The village of New Lexington, the county seat of Perry County, has a 2010 population of 4,731 within its 1.95 square mile area.

There are two public safety answering points (PSAPs) in Perry County: one is operated by the Perry County Sheriff's Office; the other by the Village of New Lexington. Both PSAPs are located in the Village of New Lexington within approximately 500 feet of each other. The Perry County PSAP (County PSAP) dispatches for law enforcement, fire and emergency medical services (EMS) for the villages of Corning, Crooksville, Glenford, Hemlock, Junction City, New Straitsville, Rendville, Roseville, Shawnee, Somerset, and Thornville. The County PSAP also dispatches for the county's townships and unincorporated communities which include: Bearfield, Clayton, Coal, Harrison, Hopewell, Jackson, Madison, Monday Creek, Monroe, Pike, Pleasant, Reading, Salt Lick, Thorn, Bristol, Milligan, Mounty Perry, Moxahala, Rehoboth, and San Toy.

The Village of New Lexington provides dispatching services for its own police, fire and EMS.

Introduction

The Perry County Commissioners engaged the Center for Public Management (PM) to assist them in assessing the feasibility of consolidating countywide safety dispatch functions for police, fire, and emergency medical services (EMS).

To achieve this, the PM facilitated dialogues and conducted meetings and interviews with stakeholders and leadership, analyzed call data, reviewed current expenditures and staffing levels, discussed a formula for distribution of cost for a consolidated PSAP with participants and developed cost estimates based on anticipated staffing and capital needs.

This report represents the culmination of a feasibility study that provides an assessment of legal authority for a consolidated dispatch center, an assessment of staffing levels and cost effectiveness, a cursory review of labor management relations that may impact a consolidated dispatch center, an assessment of and recommendations for the interoperability of communications and dispatch equipment. It can be used for guidance in outlining a process for evaluating the consolidation of public safety answering points in the county.

Legal Authority for Consolidated Dispatch Centers in Ohio¹

Current Ohio law authorizes counties, cities and villages individually to deliver public safety dispatch services. Ohio law also enables cities and villages to engage in collective action to furnish public safety dispatch services for the protection of the public's safety. Joining together, whether by means of a cooperative agreement between political subdivisions, or by the creation of a regional council of governments under which the cooperative action would take place, has the potential for more effective, efficient and economical delivery of this essential service. The applicable constitutional and statutory provisions are sufficiently flexible, so as to enable willing subdivisions to address their unique situations and needs, provide for a governance structure that is equitable, and support a fair system of cost-sharing.

The analysis, for purposes of this report, included reviews of the Charter of the Municipality of New Lexington and the Agreement Between the Perry County Sheriff's Office, Perry County Board of County Commissioners and The Fraternal Order of Police, Ohio Labor Council, Inc., effective January 1, 2010 – December 31, 2014, as well as applicable provisions of the Constitution of the State of Ohio, the Ohio Revised Code and the Ohio Administrative Code.

Possible Impediments or Prohibitions

As indicated above, there are no significant constitutional or statutory impediments to cooperative action by a group of political subdivisions, including, in particular, the subdivisions that are the subjects of this study. The impediments to cooperative action in establishing and maintaining an emergency dispatch system or similar joint enterprise usually arise from the details of meeting the needs and desires of the individual participants when they differ from or conflict with those of other participants. Resolving those possible conflicts and differing interests and providing for a governance structure that is capable of addressing the ongoing operation of the enterprise and agreeing on funding sources and equitable service delivery can often be the most difficult obstacle to establishing a cooperative enterprise of this kind.

The fact that (1) participating subdivisions must have, and will require, the ability to withdraw from the enterprise, under prescribed conditions and procedures, together with the fact that (2) continuing financial contributions from the participating subdivisions are subject to the annual appropriation of money by the governing bodies of the respective subdivisions requires that the enterprise be established in a manner that promises to meet the continuing needs of the participants and that is able to meet changing conditions as they arise. Provisions for withdrawal must not be so onerous that they will be unacceptable to the participants, yet sufficiently protective of the interests of the participants that will remain.

¹ This section was prepared by Eugene L. Kramer, Attorney-at-Law

A county, like Perry County, which operates under the statutory form of government, needs to meet the requirements of the statutes that provide for the cooperative action, since those statutory provisions are the only source of authority for such actions. Cities and villages have authority under the home-rule provisions of Article XVIII of the Ohio Constitution as well as statutory authority to enter into cooperative agreements. A city or village that has adopted a charter for its governance also must have under that charter the authority to participate, or not be prohibited from participating, in the proposed enterprise. A municipal charter can also contain procedural requirements that must be observed in authorizing participation in certain kinds of cooperative agreements. The New Lexington charter does not contain provisions that would constitute obstacles to participation by that municipality in a cooperative arrangement of the kind under consideration. That charter, to the contrary, contains, in Section 2.04, the following comprehensive provision on intergovernmental cooperation that would encompass and authorize any of the types of structure or arrangements that are described and discussed in this report.

In carrying out any lawful function or power of the municipality, the Council may, by a majority vote of its members, authorize the execution of contracts or in any other manner provide for cooperation or joint action, between the municipality and:

- Political subdivisions, special districts, instrumentalities, or other units of government of the state of Ohio or other states.
- The State of Ohio, its officers, departments, divisions, instrumentalities or other units or agencies.
- Other states, their officers, departments, divisions, instrumentalities, or other units or agencies.
- The federal government, its officers, departments, divisions, instrumentalities or other units or agencies.
- Councils of governments or other instrumentalities consisting of other political subdivisions, special districts, instrumentalities or other governmental units or agencies allowed under the laws of Ohio, other states or the federal government.
- Persons, corporations whether for profit or nonprofit, firms and other entities; unless such contracts, cooperation or joint actions are prohibited by the Constitution of the State of Ohio.

The powers granted by this section shall be liberally construed to authorize intergovernmental cooperation, but shall not authorize the avoidance of the provisions of this Charter concerning taxation or initiative or referendum.

Any intended participant in a cooperative arrangement for establishing and operating a consolidated public safety dispatch center that is subject to an existing intergovernmental agreement that contains provisions that would be in conflict with obligations that would be undertaken by that subdivision under a proposed new agreement would first need to be relieved of any conflict in the existing obligations. That should be done in accordance with the provisions, if any, of the existing agreement for amendment, withdrawal or dissolution. No intergovernmental agreement can bind a

participant to perpetual participation. In the absence of a provision for dissolution or withdrawal, a court would most likely allow a participant to withdraw upon reasonable notice and upon satisfaction of any then-existing obligations. In addition, since any requirements for a participant to contribute money under the obligation would be subject to the annual appropriation of money by the governing body of a governmental participant, the participant could effectively withdraw by failing to appropriate and contribute money for the conduct of activities under the agreement.

The LEADS Program

Since the LEADS program that is established by Ohio law is open to participation by the individual subdivisions that would be participants in the proposed consolidated public safety dispatch center, they should, as a cooperating group, also be eligible to take advantage of that system.

ORC Section 9.482 Intergovernmental Agreements

The General Assembly recently enacted a new provision, contained in Section 9.482 of the Revised Code, which became effective March 22, 2012 and the text of which is appended, that supplements and expands upon existing authority of political subdivisions to enter into intergovernmental cooperative agreements. Under division (B) of that section, a political subdivision, when authorized by its legislative authority, “may enter into an agreement whereby a contracting political subdivision agrees to exercise any power, perform any function, or render any service for another contracting recipient political subdivision that the contracting recipient political subdivision is otherwise legally authorized to exercise, perform, or render.” This provision, like Section 307.15 of the Revised Code, could be employed in a case in which the proposed or desired arrangement would entail having one of the political subdivisions perform a function or functions for one or more other subdivisions. This differs from the case in which, as could occur under a council of governments, a new entity undertakes to perform a function or functions on behalf of the participating subdivisions.

This new section also clarifies or supplements current law on the questions of employee liability under Chapter 2744 of the Revised Code (sovereign immunity) and employee pension eligibility under Chapter 4123 of the Revised Code. In both cases, employees of one subdivision continue to be covered while serving outside the boundaries of the employing subdivision, pursuant to an intergovernmental agreement. These provisions would not affect employees of Perry County acting under any kind of intergovernmental arrangement with New Lexington or with any other subdivision within the county, but could impact employees of any participation subdivision within the county in the event that they were assigned to work at a consolidated dispatch center located at a place other than those employees’ employing subdivision. A New Lexington emergency dispatch employee who, for example, would be assigned to work at a Perry County dispatch center not in New Lexington would not be at risk of losing any protection from tort liability or PERS credit as a result of that assignment.

Formation of a Council of Governments

A council of governments (COG) is not a unit of local government, but rather an entity created (pursuant to statutory authority) to enable local units of government to cooperate in the exercise of governmental functions in accordance with a statutory framework. Creation of a COG does not add to, or expand, the governmental powers of the constituent entities, so it is necessary to look to the constitutional, statutory and charter powers and authority of the participants to determine in which activities the COG can engage.

The Ohio Revised Code contains numerous provisions that authorize intergovernmental cooperation and activities between political subdivisions and other governmental entities. In some cases, those statutory provisions offer options for carrying out the same kind of activity. Section 307.15 of the Ohio Revised Code and succeeding sections, for example, provide broad authority for counties and other subdivisions to cooperate in carrying out a wide range of governmental functions, while Section 307.63 provides similar, but more specific, authority for establishing a countywide public safety communications system.

The principal advantage of creating a regional council of governments under Chapter 167 of the Ohio Revised Code probably lies in the fact that the basic structure of a COG is determined by the statutes and because the COG structure is widely used and recognized as a means of intergovernmental cooperation. There is also the possible advantage that Section 167.02 of the Revised Code requires the Ohio Director of Development to “assist the council in securing the cooperation of all appropriate agencies of the state or of the United States to aid in promoting the orderly growth and development of the area, solving the problems of local government, and discharging the responsibilities and duties of local government in the most efficient possible manner.”

Status of Employees of a Council of Governments

Though a regional council of governments is neither a political subdivision nor a taxing district, it has some of the characteristics of a political subdivision in that it acts on behalf of the subdivisions and government agencies that create it. The General Assembly has provided that employees of a COG are “public employees” for purposes of Chapter 4117 of the Revised Code, providing for public employees collective bargaining, and Chapter 145 of the Revised Code, providing for the public employees retirement system. There does not appear to be any prohibition against incorporating provisions relating to employee tort liability protection and pension eligibility in an agreement establishing a COG (authorized by Section 9.482 of the Revised Code).

It should be noted also that a COG is subject to other state statutory requirements that are applicable to political subdivisions, including those providing for open meetings and open records.

Procedure for Creation of a Regional Council of Governments

1. Identify the Purpose and the Prospective Participants

Discussions among representatives of the subdivisions that have expressed interest in the possibility of creation of a COG can identify the purpose and some of the important areas of agreement that will have to be reached in order to establish a COG that will be able to achieve the goals of the prospective participants. Unless at least tentative agreement is reached on such matters as the governing structure, representation on the governing board, and financial support to be provided by the participants, it not likely that the legislative authorities of the proposed participants will be agreeable to authorize entry into an agreement to create the COG.

2. Draft the Proposed Agreement Creating the Council of Governments

In accordance with those discussions, a draft agreement meeting the requirements of Sections 167.01 and .02 of the Revised Code should be drafted and circulated for review and comments and then revised as necessary.

The agreement needs to provide for representation on the COG governing board from each of the participants and from any subsequently admitted subdivision and for the procedures for withdrawal from membership. Section 167.02 of the Revised Code requires that no participant be required to retain membership for a period of more than two years. The agreement probably also should provide for the date, time and location of the initial meeting of the governing board, the procedure for giving notice of that meeting in a manner consistent with the requirements of the state open meetings law, and for the person who is to call the meeting to order and initially preside over the meeting.

3. Adopt the Agreement

Each subdivision's legislative authority would then adopt a similar ordinance or resolution authorizing an appropriate officer or officers to execute the agreement on behalf of the respective subdivision and for delivery of a copy of the legislation and of the signed agreement to a designated person or office. The legislation should provide for the conditions, such as the number of participants that approve the agreement, for the agreement to become effective.

4. Initial Meeting of the COG Governing Board

The agenda for the initial meeting could be substantially as follows:

1. Call the meeting to order.
2. Ratify the giving of the notice of the meeting.
3. Adopt the bylaws, if they have been previously drafted and tentatively approved by the participating subdivisions. If not, designate a committee to draft the bylaws.
 - a. If the bylaws are adopted, elect officers in accordance with the bylaws.

- b. If the bylaws are adopted, adopt a meeting schedule as provided for in the bylaws.
- c. If the bylaws are adopted, establish committees and appoint members as provided in the bylaws.

In the event that the bylaws are not adopted at the initial meeting, steps 3a. through 3c. will have to be taken after the bylaws are adopted at a subsequent meeting.

Powers of a Council of Governments and Limitations on Those Powers

A regional council of governments is not a political subdivision or taxing district and has only those powers that are specifically granted by Chapter 167 of the Revised Code (Sections 167.01 through 167.08 of which are appended) and derives its powers from the agreements entered into by its constituent members to engage in cooperative activities that are within the constitutional, statutory, and charter powers of those members. It does, however, have some of the characteristics of a political subdivision. As provided in Section 167.03 of the Revised Code, “The council may, by appropriate action of the governing bodies of the members, perform such other functions and duties as are performed or capable of performance by the members and necessary or desirable for dealing with problems of mutual concern.” Under that authority, a COG could undertake, on behalf of its members, the establishment of an emergency dispatch system. In the exercise of those powers, the governing board of the COG, as provided in Section 167.05 of the Revised Code, may employ such staff and contract for the services of such consultants and experts, and lease, or otherwise provide for, such supplies, materials, equipment, and facilities as the council deems necessary and appropriate in the manner, and under procedures, established by the bylaws of the COG. The members may also contribute facilities, personnel, supplies and equipment for carrying out the functions of the COG.

Issuance of Debt Obligations

As the Ohio Attorney General has opined on more than one occasion, a council of governments is not a political subdivision or taxing authority, as defined in Chapter 133 of the Revised Code or elsewhere, that is authorized to issue notes or bonds or other debt obligations, unless it is a COG consisting principally of school districts or that is an “information technology center.” Members of a COG may contribute money to the COG that is necessary for the acquisition or improvement of permanent improvements that are necessary for the operation of the COG.

Funding Sources Available to COGs

Neither Chapter 167 of the Revised Code nor any other provision of Ohio law authorizes a council of governments to levy ad valorem or any other form of tax, nor may the members confer that power on the COG. The members may contribute money to the COG in accordance with the agreement establishing the COG or by the bylaws. In the

case of a COG that includes in its members one or more counties, the county or counties could provide for a dedicated source of revenue for the COG by a voted property tax under Chapter 5705 of the Revised Code or by sales and use taxes levied pursuant to Chapters 5739 and 5741 of the Revised Code. An agreement entered into under Section 9.482 of the Revised Code, described above, cannot authorize a political subdivision to levy any tax on behalf of a contracting subdivision, but under such an agreement, a political subdivision may collect, administer, or enforce any tax on behalf of another political subdivision or subdivisions.

A COG could be authorized by the agreement and bylaws that create it to receive and use federal and state grant money that the members individually would be entitled to apply for and receive.

Collective Bargaining Agreements

The existing collective bargaining agreement covering Perry County employees who currently provide emergency dispatch services for the county would not necessarily be an impediment to creation of a consolidated system that includes the Village of New Lexington. An agreement establishing a regional council of governments could provide for Perry County to use its existing workforce, with any necessary additions, to service the emergency dispatch needs of the members of the COG. Any additional employees of the county would become members of the bargaining unit under the current labor agreement.

Alternatively, if emergency dispatch services are to be provided by employees of the COG, Perry County would disband its emergency dispatch operation. The county employees, and any other public who currently are providing such services for the individual members of the COG, would be eligible to be recognized as a new bargaining unit and to negotiate a new collective bargaining agreement with the COG.

Appendix C: Legal References contains sections of the Ohio Revised Code listing the rights of public employees with respect to collective bargaining and the matters that are subject to collective bargaining, all of which would be applicable to any arrangement by which emergency dispatch services would be provided by employees of a public body.

Summary

There do not appear to be any insuperable obstacles to the establishment by the Village of New Lexington and the County of Perry, within a reasonable time, of a cooperative arrangement for the provision of a consolidated public safety dispatch center. This could be accomplished through the creation of a council of governments or by entering into one or more intergovernmental agreements, including an agreement pursuant to

Section 9.482 of the Revised Code. Any such arrangement would require providing for financial support from the participating subdivisions, since a council of governments can neither issue debt obligations nor levy taxes, and a cooperative agreement under whatever authority entered into would not create any additional taxing authority.

Establishing such a system would require a high degree of cooperation and of foresight on the part of the participants, including the willingness to surrender some degree of autonomy in the operation of the common enterprise. Political, rather than legal, constraints generally are the principal constraints on the establishment of effective intergovernmental cooperation arrangements.

If a council of governments were to be created for the proposed purpose, and if the COG would employ staff for carrying out its obligations, provision would have to be made to recognize the possible ability of the employees to engage in collective bargaining and to participate in the Ohio public employees' retirement system.

Cursory Review of Labor Agreement

If the PSAPs in Perry County combine and it is determined that the New Lexington Police department would operate the consolidated dispatch center, there are a number of issues around which the Perry County Sheriff’s Office (PCSO) would need to negotiate impact on the dispatch bargaining unit. Based on PCSO employee benefits being more comprehensive than New Lexington in many areas, the PCSO would likely have to negotiate impact of closing the department around all but the following issues

- Sick Leave
- Personal Leave (Hours/Year)
- Maternity
- Number of Paid Holidays
- Overtime
- Call-In Pay
- Vacation

If the group moves forward with a council of governments (COG) that determines its own benefit package, the PSCO would have to negotiate the impact of closing the department if the COG offered benefits that were less comprehensive or more costly to employees.

It is important to keep in mind that this was a cursory review intended to identify key areas, such as wages and benefits that differ between the two entities. Legal counsel for each entity should be consulted prior to moving forward with consolidation. Table 1 is a more detailed comparison of dispatcher benefits at the two PSAPs.

Table 1: Comparison of Dispatcher Benefits

| | Perry County | New Lexington |
|--|---|--|
| Union | Fraternal Order of Police | Not applicable (N/A) |
| Sick Leave | 4.6 hours/80 hours worked | 4.6 hours/80 hours worked |
| Personal Leave (Hours/Year) | 24 hours | 40 hours (employee choice days) |
| Sick Leave Incentive/Conversion | If annual usage is 0-8 hours, an employee can get paid for 40 hours of unused sick leave, 9-16 hours gets 32 hours, 17-24 hours - 24 hours, 25-32 hours - 16 hours, 33-40 hours - 8 hours, 41+ hours - 0 hours | If annual usage is 0-8 hours the employee can get paid for 40 hours of unused sick leave, 9-16 hours gets 32 hours, 17-24 hours gets 24 hours, 25-32 hours gets 16 hours, 33-40 hours gets 0 hours |
| Bereavement | Use up to 5 sick days without medical notice | 3 days; 2 additional can be approved, but employee must use sick days |

| | Perry County | New Lexington |
|---------------------------------------|--|---|
| Maternity | Consistent with Family Medical Leave Act (12 weeks) | Consistent with Family Medical Leave Act (12 weeks) |
| Uniform Allowance | \$300 purchasing, \$150 cleaning, \$150 dry-cleaning (total \$600) | not specifically addressed |
| Number of Paid Holidays | 12 days | 13 days |
| Longevity Pay | 2% of annual salary after 2 years of service, 3% after 4 years, 4% after six years, 5% after 8 years, 6% after 10 years, 7% after 15 years, 8% after 20 years, 9% after 25 years | 3% of annual salary after 5 years of service, 4% after 12 years, 5% after 20 years |
| Employee PERS Contribution | Paid by employee | Paid by the village |
| Health Care Contribution | Employee pays 10% of premium plus a \$200 deductible | Employer pays premium and employee just pays deductibles |
| Insurance Benefits | health | health, dental, vision (no insurance, but the village pays \$275 per occurrence) |
| Life Insurance Coverage Amount | \$20,000 | \$15,000 |
| Compensatory Time | not specifically addressed | 40 hour maximum accrual |
| Overtime | 1.5 x hourly rate | 1.5 x hourly rate, 2x hourly rate if called into work on second day off |
| Call In Pay | 2 hour minimum at 1.5 x hourly rate | 3 hour minimum at 1.5 x hourly rate, 2x hourly rate if called into work on second day off |
| Shift Differential | First shift - \$0.50, third shift - \$0.50 | Second shift - \$0.15, third shift - \$0.25, swing shift - \$0.20 |
| Tuition Reimbursement | not specifically addressed | requires preapproval for instructional fees |
| Vacation Accrual Rate | Years Of Service Required | |
| No vacation | Less than 1 | Less than 1 |
| 80 hours | 1 year to <5 years | 1 to less than 5 year |
| 120 hours | 5 to less than 10 | 5 to less than 1 |
| 160 hours | 10 to less than 15 | 11 to less than 16 |
| 200 hours | 15 to less than 25 | 16 to less than 26 |
| 240 | 25 or more | 26 or more |

Assessment of Communications/Radio Equipment²

This section provides an evaluation of the current radio systems utilized by each of the public safety answering points/dispatch centers involved in the Perry County feasibility study. In order to provide cost estimates for a consolidated PSAP, this section also determines a reasonable and cost-effective approach to consolidation from the communications equipment perspective. Radio communications within Perry County are conducted on several different portions of the radio spectrum and, to an extent, limit direct interoperability with public safety agencies.

Approximately five years ago, an advisory committee consisting of public safety representatives and County emergency management agency (EMA) representatives was formed to evaluate communications within the County. A phased approach was developed by the committee to coordinate communication upgrades and to standardize all frequencies within the County. In 2010, Perry County and the Village of New Lexington upgraded their dispatch consoles to an internet protocol (IP)-based system. Grant funds from the County EMA were utilized to purchase a limited amount of UHF portable and mobile radios for public safety agencies throughout the County. The first phase of the plan consists of building a microwave path to the County tower site locations and to build out the current communication infrastructure. The second phase of the plan is to develop a migration path for communications to either the Ohio Multi-Agency Radio Communication System (MARCS) or to the build out of a UHF countywide public safety radio communications system. Further grant funds are being sought, such as the Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant, to accomplish all or parts of each phase. A final long term goal is to upgrade the County's 9-1-1 system to Next Generation (NG) 9-1-1.

Perry County PSAP

Public safety agencies within Perry County utilize a mixture of different radio frequency bands to communicate; which, to an extent, limit direct interoperability. Primary dispatching is done through the use of a low-band simplex fire frequency (33.980 MHz) and a low-band simplex police frequency (39.920 MHz). The Sheriff's Department uses the Ohio MARCS (800 MHz trunked) for its primary communication platform and EMS entities are dispatched on a VHF simplex frequency (155.265 MHz). All communications are analog with the exception of MARCS which is digital. The county has three tower sites and each site is publically owned. Site locations and capabilities are as follows:

- North Tower (Somerset Water Tower) – County fire (33.980 MHz), County police (39.920 MHz), County EMS (155.265 MHz), UHF fire repeater (453.125/458.125 MHz), UHF police repeater (460.175/465.175 MHz)

² This section was prepared by Patrick Johnson, Consultant.

- Central Tower (Panther Drive) – County fire (33.980 MHz), County EMS (155.265 MHz)
- South Tower (Oakfield Water Tower) – County fire (33.980 MHz), County police (39.920 MHz), County EMS (155.265 MHz), UHF fire repeater (453.125/458.125 MHz), UHF police repeater (460.175/465.175 MHz)

The UHF repeaters at the North tower site and the South tower site are permanently linked directly to the respective low-band fire and police simplex bases. Each repeater is controlled by a different Digital Private Line (DPL) input on the same frequency allowing dispatchers to select the closest tower site to the radio user. The simplex EMS frequency at each of these two tower sites are controlled by RTNA lines. All of the simplex base radios at the central tower site are controlled by RTNA lines.

The County's PSAP/dispatch center is located at the Sheriff's Office and is responsible for the dispatch of all public safety agencies within the county, with the exception of the Village of New Lexington. The PSAP/dispatch center has a two position Motorola MIP 5000 voice over internet protocol (VOIP) radio console that was recently purchased within the last two years. Dedicated UHF control stations are utilized for talking into the North and South tower sites via the UHF police and fire repeaters at the respective site and there is a dedicated MARCS control station for the sheriff's dispatch talk group. The RTNA lines are terminated at the console for control of the other remaining base stations at the tower sites. There is also one frequency agile VHF mobile radio control station in the PSAP/dispatch center for monitoring other agencies. The control station antennas are mounted on the roof and side of the building. Warning sirens throughout the county are controlled on the low-band County fire frequency. All channels are recorded and the PSAP/dispatch center has battery back-up and generator capability. There is not a standardized signaling protocol for radio identification and emergency alarm activation throughout the county.

The Sheriff's Department uses MARCS for everyday communication. Each vehicle has a MARCS mobile radio and a low-band mobile radio. The low-band mobile radio is used for communication with the other police agencies in the county and as a backup should MARCS fail. Because of portable coverage issues on the MARCS, the sheriff has UHF vehicular repeaters connected to the MARCS mobile radio and deputies use UHF portables when out of the vehicle to link back to MARCS. Perry County has five primary talk groups on MARCS that are assigned to them. In addition to the sheriff department, each agency within the county has at least one MARCS radio.

Fire department paging is done using standard Motorola two-tone paging groups over the primary low-band fire dispatch frequency. Some fire departments use low-band pagers and some utilize UHF radios. There is a mixture of low-band, VHF and UHF mobiles and portables that are utilized by the fire departments within the county for communication to dispatch. Some individual fire departments have set up their own UHF repeaters that are linked to low-band base stations. While other fire departments

bordering Muskingum County have done the same on VHF for interoperability with Muskingum County.

Perry County's terrain is flat in the North, but hilly and forested in the South, resulting in sporadic radio communication coverage in the south. With the addition of UHF repeaters in this area, the coverage has been gradually improved. Radio traffic on the dispatch frequencies is busy due to traffic from other counties and that of local agencies. Public safety agencies have simplex frequencies available to them, but not all agencies utilize them.

Village of New Lexington PSAP

The Village of New Lexington's PSAP/dispatch center is located at its public safety building and is responsible for the dispatch of its own public safety personnel. The PSAP/dispatch center has a two position Motorola MIP 5000 VOIP radio console that was purchased approximately two years ago at the same time the County upgraded their dispatch console. The Village uses the same dispatch frequencies as that of County agencies for communications. The police department and the fire department each have separate UHF repeaters that are linked to a low-band base radio on their respective dispatch frequency. When away from the vehicle, UHF portables are used by personnel for communication. In addition, the police department has MARCS portable radios that they will also carry with them for direct communication with the sheriff department.

General Recommendations

- Develop an advisory board to evaluate and coordinate radio licenses. This ensures that licenses do not expire and that there are no interference issues with other agencies within the county.
- Consider an overall maintenance contract for infrastructure, consoles, and user radios. This would involve a detailed inventory of items to be covered under the contract.
- Establish control of radio and accessory purchases to maintain interoperability and compatibility among users. This would also result in cost savings for bulk purchases.
- Develop a common naming convention of all radio channels utilized within the county for autonomy of operation and interoperability.
- Develop a common signaling protocol for radio identification and emergency alarm activation countywide and coordinate radio IDs.
- If agencies migrate to digital, ensure that the platform utilized is that of an open architecture Project 25 standard and not proprietary in nature.
- Further evaluate the use of the simplex frequencies available to agencies during an incident to help reduce the amount of radio traffic on the main dispatch frequency.

Consolidation-Specific Recommendations

1. Move all dispatch operations to the Village of New Lexington's PSAP/dispatch center.

Rationale: The Village of New Lexington has recently relocated its public safety facility into a newly remodeled existing building one block away from its old location. The current PSAP/dispatch center is approximately 150 square feet and easily expandable to an additional 200 square feet to accommodate a third dispatch position and additional equipment. Restroom access is conveniently available to dispatch personnel and the public can easily access the location.

The sheriff's PSAP/dispatch center is located within the confines of the sheriff's office which was built in the late 1800's and is very limited on space. The current dispatch area is approximately 216 square feet and could be expanded to an additional 80 or so square feet. However, additional space is limited for future expansion and equipment needs. Restrooms are not easily accessible to dispatchers and public access is, to some extent, limited because of parking constraints.

2. Keep current Perry County Sherriff's dispatch in place as a backup (plan for the future upgrade to 4.9 GHz microwave connectivity to three tower sites).

Rationale: It is important to have a backup PSAP/dispatch center. Keeping this current PSAP/dispatch center in service is a temporary, but viable solution until further funding is available. It is imperative to plan for the future upgrade of this center.

3. All public safety agencies remain on their existing frequencies. Dispatch is accomplished through the use of licensed 4.9 GHz microwave links to each of the three tower sites for county agencies. Village of New Lexington public safety agencies are dispatched through existing links to their tower site.

Rationale: By installing privately owned dedicated 4.9 GHz links to each of the three tower sites, the County would be able to easily control existing and future radio system architecture, controls, and alarms. This would allow for a great amount of future expansion at these sites and also eliminate reoccurring monthly RTNA costs.

4. Coordinate utilization of simplex channels during incidents to help reduce the amount of radio traffic on main dispatch frequencies.

Rationale: The low-band public safety dispatch frequencies become crowded at times depending on radio traffic from other counties and local radio traffic. This is

an interim solution that can be accomplished easily and quickly to help alleviate radio traffic.

Estimated Costs

Estimated costs for a consolidated PSAP are based on the assumption that the consolidated center would be moved to the Village of New Lexington's PSAP/dispatch center. These costs are provided in Table 2.

Table 2: Consolidated PSAP Communications Equipment Needs

| | |
|---|------------------|
| 1 additional console position | \$30,000 |
| Furniture | \$5,000 |
| Remodeling | \$25,000 |
| 4.9 GHz microwave link to each of 3 tower sites | \$30,000 |
| MARCS base | \$7,000 |
| Equipment-related training | \$1,200 |
| Yearly maintenance agreement | \$25,000 |
| Logging recorder upgrade | \$25,000 |
| | \$148,200 |

Training for dispatchers will need to be included for proper use and functionality of the dispatch consoles. It should be noted that this cost does not include overtime costs.

Assessment of Staffing and Related Costs

Below is the assessment of dispatch-related staffing and dispatch-related costs for a consolidated center. This section of the report will present estimated staffing and costs for a consolidated public safety answering point/dispatch center. To enable participating jurisdictions to determine whether they may anticipate a reduction in costs as a result of consolidation, the report will also present information on current costs for operating the two existing PSAPs.

Many of the participants in discussion groups held during the course of the project felt one or both of the PSAPs were understaffed. In addition, they suggested it would be beneficial for dispatchers to offer emergency medical dispatch (EMD) or pre-arrival instructions. These requests or preferences are addressed in a two ways.

1. With regard to EMD, the cost and staffing estimates for a consolidated center will be compliant with NFPA 1221 section 7.3.2, which states “Communications centers that provide pre-arrival instructions to callers shall have two telecommunicators on duty ... (2013).”
2. The report will provide staffing estimates and related costs for a scenario in which the existing PSAPs would not consolidate, but are compliant with NFPA 1221 section 7.3.2 and utilize the same staffing methodology or formulas to determine adequate staffing levels. This will enable study participants to compare a consolidated PSAP against existing PSAPs when all are held to the same staffing and service standards.

The groups involved in the discussions during the study also indicated that quality of service is important. To ensure quality of service, PSAPs must not only be adequately staffed, but also adequately trained. This study accounts for training by providing staffing estimates and costs that factor in 40 hours of training per dispatcher. This exceeds APCO International’s *Minimum Training Standards for Public Safety Telecommunicators*, section 2.3.7, which provides a minimum standard of 24 hours of continuing education or training for each telecommunicator per year (2010). Estimated costs for a consolidated center include the training costs for each telecommunicator to become certified as a public safety telecommunicator. It is worth noting that PCSO indicated that five of its dispatchers are APCO certified and that existing dispatch employees receive approximately three hours of training per year, while new dispatchers receive approximately 320 hours. For New Lexington, new dispatchers receive approximately 120 hours and experienced dispatchers receive 25 to 30 hours per year.

Providing standardized training can contribute toward improved professionalism and consistency among dispatchers. Consequently, the consolidated center should plan and budget for each dispatcher to obtain certification in fire service communications and emergency medical dispatch. The expectation would be that each telecommunicator

that is not currently certified in each area would do so during the course of the first few years of the center's operation. For the purposes of the study, there is an assumption that the consolidated center would hire experienced dispatchers, thus eliminating the need for the heavy upfront training costs required for inexperienced dispatch employees.

Consolidated PSAP

Estimated Staffing

The estimated minimum (dispatch) staffing needed for consolidated PSAP is as follows,

- *Two dispatch positions per shift with 1 additional position that overlaps first and second shift to cover busiest hours*
- *The overall staffing estimate for consolidated PSAP is 10 full-time and 4 part-time dispatchers, or 11.74 full-time equivalents (FTEs)*
- *FTEs dedicated to dispatch: 11.74*

Details on Staffing Estimates

In assessing staffing, the Public Management (PM) project team ran several staffing simulations based on call volume. All factored in estimated sick, vacation, and personal leave, as well as time away (40 hours per year) from dispatching to complete the certification training program. While all simulations provided adequate coverage of a 24-hour per day and seven day per week (24/7) operation, the most economical staffing scenario was selected.

In a consolidated center, the PM estimated the need for a total of 10 full-time employees and 4 part time employees. This would be required to cover a two dispatch seats or consoles staffed per shift. This meets the minimum standard for providing EMD. Staffing also provides for a third dispatch slot that would cover the last four hours of the first shift and first four hours of the second shift. While there may be more cost-effective ways to schedule employees, for the purposes of this study, the staffing analysis assumes dispatchers are assigned to a specific shift and that full-time staff members are scheduled for 40 hours per week.

Based on the staffing simulation, part-time employees were assumed to work an average of 906 hours per year; all part-time workers would work at least two days per week to maintain proficiency at the position. Any hours that could not be filled by part-time were converted to overtime. This equates to 488 hours (732 per year at time and one-half) that would be available to dispatch employees.

The methodology and assumptions for the staffing analysis and methodology are provided in Appendix A of this report.

Estimated Staffing Costs

The PM estimates \$485,500 for dispatch salary, overtime, fringe benefits, and training (Table 3). If the consolidated PSAP requires a manager, there would be an additional (estimated) cost of \$61,130 per year,³ including fringe benefits. If administrative/clerical support is needed (five days per week, eight hours per day), there would be an additional \$40,910⁴ per year, including fringe benefits. Table 3 provides the estimated staffing costs for the consolidated PSAP, including management and clerical staff.

Table 3: Estimated Staffing Costs for Consolidated PSAP

| | Consolidated PSAP annual staffing costs |
|--------------------------|--|
| Estimated Staffing Costs | \$485,500 ⁵ |
| Dispatch Center Manager | \$61,130 |
| Administrative/Clerical | \$40,910 |
| Total | \$587,540 |

NOTE: The above figures have been rounded to the nearest 10.

Details on Staffing Cost Estimates

To calculate overall dispatcher staffing costs, the PM used average dispatcher hourly rates and the highest rate of all dispatchers as the shift/senior supervisor rate. Because shift differentials were applied differently by New Lexington and the Perry County Sheriff's Office (PCSO), a \$0.50 per hour differential was applied to all shifts. Assuming the group moving forward with consolidation narrows the differential to specific shifts, the PM's application of the shift differential to all shifts would result in an overestimation of the consolidated center's costs.

Among the dispatch staff assigned to each shift would be a senior dispatcher whose pay is estimated at \$18.83 per hour (includes a \$0.50 per hour shift differential) at full-time (2,080 hours per year). For dispatchers, the PM used an average hourly rate of \$13.36 per hour (includes a \$0.50 per hour shift differential). Fringe benefit costs for full-time employees were based on an average fringe benefit rate of 38%. Based on cost data provided to the PM, New Lexington's fringe benefit rate is 26%, while the PCSO has a rate of 51%. The difference in between these entities' fringe benefit rates would represent approximately \$77,900 difference in fringe benefit costs, depending upon the entity chosen to serve as the employer of the dispatchers. Since the average fringe

³ Salary datum is based on the Bureau of Labor Statistics' May 2012 Metropolitan and Nonmetropolitan Area Occupational Employment and Wage Estimates for Eastern Ohio nonmetropolitan area for Police and Sheriff's Patrol Officers (annual salary based on median hourly wage).

⁴ Salary datum is based on the Bureau of Labor Statistics' May 2012 Metropolitan and Nonmetropolitan Area Occupational Employment and Wage Estimates for Eastern Ohio nonmetropolitan area for Office and Administrative Support Workers, All Other (annual salary based on median hourly wage).

⁵ New Lexington serving as the employer would reduce fringe benefit costs by \$38,900 from the study estimates, whereas PCSO would result in an increase of the same amount.

benefit cost was used, *New Lexington serving as the employer would reduce fringe benefit costs by \$38,900 from the study estimates, whereas PCSO would result in an increase of the same amount.*

Replacement Staff and Costs

Since PCSO and New Lexington dispatchers perform duties beyond communicating with the public and public safety officials in emergency situations, participants in the study indicated that if dispatchers were moved off site, their agency would need to hire one or more staff to replace dispatchers. This would allow their agencies to continue providing the same services. The implications of replacement staff are that if the PCSO becomes the site of a consolidated PSAP, New Lexington would require replacement staff and vice-versa.

The PCSO indicated the need for additional staff which would result in an estimated \$251,500 in additional costs, beyond those required to staff a consolidated PSAP. The PCSO suggested it would still require one position 24 hours per day year-round, as well as a part-time clerical worker. The hourly rates used to calculate the total cost are: \$9.68 for a receptionist/records manager and \$18.33 for the replacement staff (those taking on the tasks that dispatchers currently provide and a consolidated dispatch center would not).

New Lexington, on the other hand, indicated that it would need a clerk eight hours per day for five days per week. The estimated hourly wage New Lexington provided for a records clerk was \$12.99. This represents an additional \$33,900 in costs that would need to be covered in addition to the cost of a consolidated dispatch center.

| | Replacement Staff Requested by New Lexington PD | Replacement Staff Requested by PCSO |
|----------------------------|--|--|
| Replacement Staffing Costs | \$33,900 | \$251,500 |

When evaluating the location of a consolidated PSAP, participants should consider the impact of location on cost of staffing as well as capital/equipment. Equipment costs and related issues will be addressed in the section *Assessment of Communications/Radio Equipment*. It is worth noting that the PCSO does not currently have adequate space to house additional dispatchers, so there would be costs for construction of an addition to the building that would need to be considered in the overall evaluation of costs.

2012 PCSO and New Lexington PSAP Staffing and Costs

The cost figure below includes for salary, overtime, fringe benefits, and training for dispatch-related positions only. Staffing and FTE figures represent only dispatcher positions. Since dispatchers provide functions in addition to dispatching, the total staff costs represent costs to perform dispatch and nondispatch-related duties. Note that cost figures have been rounded to the nearest 100.

- *PSAP staffing: 7 part-time and 6 full-time (includes dispatchers and dispatch supervisor or senior dispatcher)*
- *Full-time equivalents (FTEs): 8.43*
- *FTEs dedicated to dispatch: 4.70*
- *Staffing costs for both PSAPs: \$471,700*

Details on 2012 Staffing and Related Costs

The PCSO staffing, included in the above figures, is four full-time and two part-time/intermittent dispatchers. New Lexington has one dispatch supervisor, who also serves as a dispatcher, one full-time dispatcher, and five part-time dispatchers.

Since dispatchers provide functions in addition to dispatching, the total staff costs represent costs to perform dispatch and nondispatch-related duties.

Estimated Staffing and Costs Based on Industry Standards

As stated earlier, the consolidated PSAP complies with APCO training standards and staffing levels, which are based on call volume and NFPA minimum standards. There is a bias against a consolidated PSAP that complies with these standards when compared to operations that do not. In order to alleviate this bias, the PM estimated the staffing costs of existing PSAP, if they adhered to these standards. These estimates are based on staffing simulations, costs for APCO training courses, and related time off for training. These combined PCSO and New Lexington PSAP costs and staffing estimates are below. Note that cost figures have been rounded to the nearest 100.

- *Estimated 2013 staffing when complying with standards: 19 full-time and 7 part-time dispatchers*
- *Estimated 2013 staffing when complying with standards: 21.89 FTEs*
- *Estimated 2013 staffing costs when complying with standards: \$867,400*

As indicated earlier, it is important for study participants to be able determine whether they may anticipate a reduction in costs as a result of consolidation. This next section will present information on current and estimated costs.

Comparison of Staffing and Costs

Table 4 outlines the variations in staffing levels for current operations, estimates for a consolidated PSAP, and estimates for both PSAPs (based on industry standards). Compared to 2012 combined staffing levels for New Lexington and PCSO, a consolidated PSAP would result in an increase in both number of dispatchers and number of dispatch FTEs. This can be attributed to a difference in philosophy for a consolidated PSAP, which emphasizes compliance with national standards and commitment to providing emergency medical dispatch. Based on staffing simulations and industry standards, both PSAPs are currently understaffed:

- To provide EMD and satisfy the related NFPA 1221 standard, New Lexington would need a total of nine full-time and three part-time dispatchers
- Based on the Erlang-C formula and the PCSO's 2012 call volume, there should be 10 full-time and four part-time dispatchers. This staffing level would also enable dispatchers to provide emergency medical dispatch, while meeting NFPA 1221.

Table 4: Comparison of Current and Estimated Staffing Levels

| | # of full-time dispatch staff | # of part-time dispatch staff | # of full-time equivalents (FTEs) | Adjusted FTEs * |
|--|-------------------------------|-------------------------------|-----------------------------------|-----------------|
| Consolidated PSAP (estimate) | 10 | 4 | 11.74 | 11.74 |
| PCSO and New Lexington 2012 | 6 | 7 | 8.43 | 4.70 |
| Combined New Lexington and PCSO PSAPs Based on Industry Standards (estimate) | 19 | 7 | 21.89 | 21.89 |

Note: * FTEs have been adjusted to represent dispatch FTEs and costs dedicated to providing dispatch-related activities.

Table 5 compares staffing costs of a consolidated PSAP, existing 2012 costs for New Lexington and PCSO, and estimated 2013 staffing (if they were to staff according to the same standards as the consolidated PSAP) for New Lexington and PCSO. Staffing costs for a consolidated PSAP are \$13,800 higher than the PCSO and New Lexington's combined staffing costs for 2012. However, the consolidated PSAP staffing costs are \$381,900 less costly than staffing each of the current PSAPs in accordance with the standards described in the subsection *Estimated Staffing and Costs Based on Industry Standards*.

Table 5: Comparison of Current and Estimated Staffing Costs

| | Staffing Costs |
|---|----------------|
| Consolidated PSAP (estimate) | \$485,500 |
| PCSO and New Lexington 2012 | \$471,700 |
| Estimates for Both PSAPs Based on Industry Standards 2013 | \$867,400 |

*Figures have been rounded to the nearest 100. Above costs for a consolidated PSAP do not include a manager or administrative support staff.

Assessment of Overall PSAP Costs

This section assesses the estimated overall costs for a consolidated PSAP. Costs, such as utilities and service contracts, are not included below. These expenses tend to be cost-neutral, since they will be reduced at the site where a PSAP/dispatch center is closed and increased by a similar amount at the consolidated site.

It is important to acknowledge that the decision on a governance structure, location of a consolidated dispatch center, and even the decision to consolidate have not been made. However, in order to assess feasibility, an assumption was made with regard to type of entity. For the purposes of this study, the assumption is that the group will form a council of governments, which will initially contract with the New Lexington Police Department for service.

The PM provides a cost comparison for two scenarios:

- Scenario 1 assumes the Consolidated Center would be housed at New Lexington's Police Department.
- Scenario 2 assumes the Consolidated Center would be housed at PCSO.

The overall cost estimates for Scenario 1 are provided in Table 6, while cost estimates for Scenario 2 are in Table 7. Additional staffing costs in columns B and C reflect replacement staff. The estimated costs are based on the staffing needs indicated by New Lexington or PCSO. These are described in greater detail in the section titled *Assessment of Staffing and Related Costs*. Estimated equipment costs for Scenario 1 are in column A. Total costs for this scenario are estimated to be \$885,100.

Table 6: Estimated Total Cost Comparison, Scenario 1

| | A Consolidated PSAP | B Replacement Staff & Capital Costs: Scenario 1 | A + B |
|------------------------------|-------------------------------|--|------------------|
| Salary | \$352,500 | \$186,500 | \$539,000 |
| Fringe | \$117,300 | \$58,400 | \$175,700 |
| Overtime | \$9,600 | \$6,600 | \$16,200 |
| Training | \$6,000 | \$0 | \$6,000 |
| Staffing subtotal | \$485,400 | \$251,500 | \$736,900 |
| Equipment & related training | \$148,200 | Unknown | \$148,200 |
| Other capital | \$0 | \$0 | \$0 |
| Total Dispatch Costs | \$633,600 | \$251,500 | \$885,100 |

NOTE: The replacement costs in column B are based on data provided by the PCSO. All figures are round to the nearest 100.

Cost estimates for Scenario 2 are in Table 7. Additional capital costs in this table reflect estimated costs (provided by Perry County EMA) to expand the building by 140 square

feet and add additional restroom facilities. These building costs would only apply to the first year of operation. The equipment costs for this scenario were not assessed, so the study assumes the equipment costs would be the same as estimated for Scenario 1. Total costs for this scenario are estimated to be \$717,500.

Table 7: Estimated Total Cost Comparison, Scenario 2

| | A Consolidated Center | C Replacement Staff & Capital Costs: Scenario 2 | A + C |
|------------------------------|---------------------------------|--|------------------|
| Salary | \$352,500 | \$27,000 | \$379,500 |
| Fringe | \$117,300 | \$6,900 | \$124,200 |
| Overtime | \$9,600 | 0 | \$9,600 |
| Training | \$6,000 | \$0 | \$6,000 |
| Staffing subtotal | \$485,400 | \$33,900 | \$519,300 |
| Equipment & related training | \$148,200 | Unknown | \$148,200 |
| Other capital | \$0 | \$50,000 | \$50,000 |
| Total Dispatch Costs | \$633,600 | \$83,900 | \$717,500 |

NOTE: The replacement costs in column C are based on data provided by the New Lexington Police Department. "Other capital" includes estimated cost to renovate space at the PCSO, as provided by the Perry County 9-1-1 Program Manager. All figures are round to the nearest 100.

This final table (Table 8) enables a comparison of costs for a consolidated center, Scenarios 1 and 2, current PSAPs, and estimated 2013 costs for both PSAPs, if staffed based on industry standards. A consolidated PSAP is not economically viable when compared to existing 2012 costs. However, it is more cost-effective than either scenario that factors in the cost of replacement staff. There would also be an anticipated cost reduction of \$149,900 with a consolidated PSAP when comparing it to a scenario in which both PSAPs remained separate and were staffed and trained in accordance with industry standards.

The overall cost comparison can be deceiving as the capital expenditures apply only to the first year of operation, unless the group develops a sinking fund to replace equipment over time.

If Perry County wants to save money by consolidating, it will need to find a way to maintain services at the Sheriff's office without adding \$251,500 in staffing to do so. Considering regionalized PSAP consolidation may be helpful as well.

Table 8: Comparison of Total Costs

| Estimated Total Costs | | | | Actual 2012 |
|-----------------------|------------|------------|---|-----------------------------|
| Consolidated PSAP | Scenario 1 | Scenario 2 | Current PSAPs Based on Industry Standards 2013 (combined) | Current combined PSAP costs |
| \$633,600 | \$885,100 | \$717,500 | \$867,400 | \$471,700 |

NOTE: Scenarios 1 and 2 include estimated costs for replacement staff.

Additional Considerations

Other issues affecting costs projected for a consolidated center are provided below.

- New Lexington serving as the employer would reduce fringe benefit costs by \$38,900 from the study estimates, whereas PCSO would result in an increase of the same amount. The difference in between these entities’ fringe benefit rates would represent approximately \$77,900 difference in fringe benefit costs, depending upon the entity chosen to serve as the employer of the dispatchers.
- The highest dispatcher wage among all dispatcher (\$18.33) was used to calculate estimated costs for three shift supervisors. Costs would decrease if a lesser wage were provided to employees chosen for this new position.
- A \$0.50 per hour differential was applied to all shifts. Assuming the group moving forward with consolidation narrows the differential to specific shifts, the PM’s application of the shift differential to all shifts results in an overestimation of the consolidated center’s costs.
- If a consolidated center staffed three positions (24/7) for first and second shift and two positions (24/7) on third shift, the estimated staffing costs for a consolidated PSAP (including wages, fringe benefits, training, and overtime) would increase from \$485,500 to \$636,690.
- In choosing the location for a consolidated PSAP, participants should consider the cost of capital as well as the cost implications of the staff needed to replace dispatchers at the PSAP that would be closed.
 - Cost of Replacement Staff Requested by New Lexington PD, \$33,900
 - Cost of Replacement Staff Requested by PCSO, \$251,400

Over time, the group may wish to hire its own staff and lease space and equipment from the New Lexington or construct its own building, purchase new equipment, and function as a stand-alone entity. If this were to occur, the COG members would likely need to hire a center manager and office manager, in addition to shift supervisors, and dispatchers (both part time and full time). The group would also need to find a mechanism for handling administrative tasks such as legal, accounting, payroll, human resources, and information technology (IT) support.

- If the group requires a PSAP manager, there would be an additional (estimated) cost of \$61,130 per year, including fringe benefits. If the group requires administrative/clerical support (five days per week, eight hours per day), there would be an additional \$40,910 per year (including fringe benefits) in staffing costs. The combined costs for these would be \$102,040.

Appendices

Appendix A: Methodology and Assumptions

Appendix B: References

Appendix C: Legal References

Appendix A: Methodology and Assumptions

The PM held a series of meetings (September 18, 2012, November 7, 2012, November 8, 2012, and January 17, 2013) with public safety dispatch/PSAP stakeholders in Perry County to discuss reasons for consolidation, decision rules for determining feasibility, characteristics important in a governance structure, and allocation of costs. A focus group approach was used as a way to build a consensus among the stakeholders. This section discusses the outcomes of those meetings, as well as the assumptions and methodology for determining staffing and staffing/operating costs.

On September 18, 2012, the project planning meeting was done in conjunction with a discussion of stakeholder thoughts on the current dispatch/PSAP situation and expectations of a consolidated dispatch/PSAP function. Participants were asked to discuss what does and does not work well with the current dispatch/PSAP situation and what are the anticipated challenges and opportunities. The group also discussed advantages, challenges, and expectations of a consolidated PSAP/dispatch center. Finally, participants were asked to explain the circumstances in which their jurisdiction would be willing or unwilling to participate in the consolidation [what criteria would their jurisdiction use to determine whether or not consolidation of PSAPs would be feasible?]. Participants in this meeting were primarily from the Perry County Advisory Group (PSAG). There were eight participants representing AT&T, New Lexington, the Perry County Sheriff's Office (PCSO), Perry County 9-1-1, and the county commissioners. A representative of county fire and EMS also participated.

The meeting on November 7, 2012, provided the opportunity for a broader group of representatives in the county to discuss expectations of a consolidated center and opportunities or advantages participants anticipated with a consolidated PSAP as well as any potential concerns, hurdles or limitations for consolidating PSAPs. There were 8 participants representing the following agencies/departments/jurisdictions: Perry County IT Department, Perry County 9-1-1, the Village of New Lexington, the Village of New Straitsville, the Village of Shawnee, the Perry County Sheriff's Office, New Lexington Police Department and the Perry County Board of Commissioners.

The meeting of the PSAP on November 8, 2012 covered operations and governance, with questions about staffing, policies, procedures, and budgets. There were seven representatives from the following agencies or jurisdictions represented were the Perry County Sheriff's Office, Perry County 9-1-1, New Lexington Police Department the Perry County Board of Commissioners, and AT&T.

The meeting held the afternoon of January 17, 2013 included a group of eight stakeholders who were asked to respond to finance-related questions. The group discussed how the consolidated PSAP would be funded and how costs might be allocated among participating jurisdictions. The stakeholders represented Crooksville Fire Department, New Lexington Police Department, Shawnee, Perry County Sheriff's

Office, Perry County EMA, Perry County 9-1-1, and Perry County Job & Family Services.

During the evening meeting on January 17, 2013, more than 37 stakeholders responded to questions about their expectations of a consolidated center, as well as any opportunities, advantages, concerns, hurdles, or limitations they anticipate with a consolidated PSAP. These stakeholders represented various jurisdictions including Corning, Crooksville Council, Junction City, Monday Creek Village Fire Department, New Lexington, New Straitsville, Perry County Commissioners, Perry County EMA, Perry County Sheriff's Office, Pike Township, Reading Township, Somerset Reading EMS, Somerset, Thornville, Roseville, Shawnee, and the Perry County Tribune.

Meeting Outcomes: Current Situation and Expectations

Participants of the study were interested in providing a better level of service to their residents in a single location. For this to become a reality the participants recognized that they will have to work together and communicate clearly with each other. The participants feel that it is necessary to have a consolidated PSAP, as well as a backup center that can be used if there is a power outage or major disaster. It was recognized that this backup center should be located away from the main PSAP, so that it is less likely to be affected by the same issues as the main PSAP (e.g. power outages).

It was identified in the meetings that the two dispatch centers are currently understaffed, and need more dispatchers to assist in handling the call volume. Participants also indicated that their current dispatchers are inexperienced and are in need of a more formal training process. It is also important to note that the participants have been experiencing a retention problem with dispatch personnel, and this helps to explain the current lack of experience the dispatch staff has. It is a goal of the group to provide an environment that will make dispatchers feel comfortable, and to limit the amount of extra duties that dispatchers are required to perform. There is a general consensus among participants that dispatchers should be focused on dispatching duties rather than other tasks (e.g. court duties, managing prisoners, and cleaning).

The group indicated that funding is a challenge, because it limits the number of dispatcher that can be hired. Participants recognized in the meetings that success hinges on everyone paying their fair share of the costs for a consolidated PSAP. The group is hoping that consolidating dispatcher centers will help them save money. Some potential sources of aid were identified by participants such as; the county general fund and state wireless funding. It is also a priority for the group to educate the public on what emergency calls, and that 9-1-1 should only be used for emergencies and not for information.

Participants recognized that there are advantages of a consolidated PSAP. Two of these advantages include a reduced work load for dispatchers, by having more than one dispatcher on each shift and a standardized, less complex system in one location. On the other hand, participants are concerned with the impact on the bargain unit,

because the Perry County dispatchers are members of a union and the New Lexington dispatchers are not.

Meeting Outcomes: Operations and Governance

The group suggested that a consolidated PSAP should be located based on economics (possibly in the county seat) and the Sheriff might control the day-to-day operations. Participants also showed interest in developing a Council of Governments (COG) to develop the consolidated PSAPs policies, procedures, and budget. The group chose a COG because everyone wanted to have a say in issues regarding dispatch. It was also suggested that the county commissioners should be in charge of the funding for the consolidated PSAP.

Meeting Outcomes: Funding Formula

The group did not come to a resolution on how the costs of a consolidated center would be distributed, although it did agree that it was leaning toward a countywide funding solution (such as 9-1-1 funds or a dedicated countywide tax) rather than approaching individual townships or villages for contributions.

Cursory Review of Labor Agreements

The PM reviewed the labor agreement between Perry County and its dispatchers to identify issues around which the PCSO would likely need to negotiate impact on the bargaining unit. This analysis focused on a scenario in which the county moves forward with PSAP consolidation and determines that the Perry County Sheriff's Office (PCSO) would not house the consolidated center. The issues around which the PCSO would likely need to negotiate impact on the bargaining unit would include any that the operator of the consolidated PSAP does not match or exceed those of the PCSO. It is important to keep in mind that this was a cursory review intended to identify key areas, such as wages and benefits. Legal counsel should be consulted prior to moving forward with consolidation.

Communications Assessment

Representatives of the two PSAPs were asked to answer questions regarding their current radio system. In addition, a site visit was conducted in March 2013 to each of the PSAPs. The information from responses and site visits were used to help the PM better understand the current communications system used by PSAPs. The questions asked covered dispatch channels, P-25 compliancy, repeaters, antenna towers, alerting and warning systems, mobile data terminals (MDT's), and the communication and interoperability of agencies or departments. In addition, questions were asked about radio conditions, features, talk groups, signaling protocol, and capabilities. This information was ascertained to make recommendations to improve the communications system for the consolidated PSAP and identify the estimated cost for equipment, software, and training.

Staffing Methodology

To determine staffing levels per shift, the PM used a staffing model, developed for NENA by 9-1-1 SME Consulting. The model bases the outcomes on a number of factors, including average number of calls during the peak shift and normal shifts, leave usage, and a P.01 grade of service. The PM used the following leave usage in calculating staffing requirements:

- 11 Paid Holidays
- 17 Vacation Days
- 3 Personal Days
- 5 Training Days
- 22 Sick Days

Staffing Cost Estimates

The cost estimates for consolidated dispatch were determined based on average hourly rates of PCSO and New Lexington (for dispatchers). The highest dispatcher rate among both was used as the shift supervisor rate. In addition, average fringe benefit rate was used to calculate the fringe benefit costs. These figures were applied to the staffing levels described in the *Assessment of Staffing and Related Costs* section of this report.

Appendix B: References

- Association of Public-Safety Communications Officials website: <http://apcointl.org/>
- Association of Public-Safety Communications Officials International. (2013). "APCO Institute Course Catalog". Retrieved from <http://www.apco911.org/training-and-certification.html>
- Clemans, Nelson & Associates, Inc. The Village of New Lexington, Ohio Personnel Policy and Procedure Manual. Adopted March 31, 2011.
- Dispatch Magazine Online. (ND). "Comm Center Plans". Retrieved from http://www.911dispatch.com/centers/cc_plans.html
- Dispatch Magazine Online. (ND). "Trainers & Consultants". Retrieved from <http://www.911dispatch.com/training/trainers.html>
- Fraternal Order of Police. Agreement Between The Perry County Sheriff's Office, Perry County Board of County Commissioners and The Fraternal Order of Police, Ohio Labor Councils, Inc. – unit C. Dispatchers, Typists and Certification Numbers 84 VR 10-2298 and 84 RC 11-2442. Case No. 11-MED-09-1193/1194/1195. Effective January 1, 2012. Expires December 31, 2014.
- Kelly, F.P. (1996). The Clifford Paterson Lecture, Modelling Communication Networks, Present and Future. *Philosophical Transactions of the Royal Society*. London. A354, pp. 437-463. Retrieved from <http://rsta.royalsocietypublishing.org/content/354/1707.toc>
- Kimball (L. Robert) & Associates and 9-1-1 SME Consulting. (2003). PSAP Staffing Guidelines Report as Commissioned by NENA SWAT Operations Team. Retrieved from https://c.ymcdn.com/sites/www.nena.org/resource/collection/0ACCC545-208F-4185-BF27-FE2AF801B213/NENA_54-501A_PSAP_Staffing_Report.pdf?hhSearchTerms=dispatch+and+staffing
- National Academies of Emergency Dispatch. (2013). Certification. Retrieved from <http://www.emergencydispatch.org/Certification>
- National Academies of Emergency Dispatch. (2013). Recertification. Retrieved from <http://www.emergencydispatch.org/Recertification>
- National Fire Protection Association. (2013). NFPA 1221. "Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems. 2013 Edition. Chapter 7. Section 3. Retrieved from http://www.nfpa.org/onlinepreview/online_preview_document.asp?id=122113#

Ohio Revised Code Annotated §9.482, §133, §145, §§167.01-.08, §307.15, §307.63, §2744, §4117, §4123, §§5705, §5739, §5741. (West 2011).

Ohio Constitution Article XVIII, Sections 3, 7, 8, 9, and 13. (West).

U.S. Bureau of Labor Statistics, Division of Occupational Employment Statistics. (2013). May 2012 Metropolitan and Nonmetropolitan Area Occupational Employment and Wage Estimates, Eastern Ohio nonmetropolitan area. Retrieved from http://www.bls.gov/oes/current/oes_3900003.htm

U.S. Census Bureau. (2010). American Fact Finder. Profile of General Population and Housing Characteristics. Retrieved from http://factfinder2.census.gov/bkmk/table/1.0/en/DEC/10_DP/DPDP1/0400000US39.16000#

U.S. Census Bureau. (2010). State and County QuickFacts. Retrieved from <http://quickfacts.census.gov/qfd/states/39/39127.html>

Westbay Engineers Limited. (2012). Extended Erlang B Calculator. Retrieved from <http://www.erlang.com/calculator/exeb/>

Appendix C: Legal References

Ohio Revised Code

Section 9.482

(A) As used in this section, “political subdivision” has the meaning defined in section 2744.01 of the Revised Code.

(B) When authorized by their respective legislative authorities, a political subdivision may enter into an agreement with another political subdivision whereby a contracting political subdivision agrees to exercise any power, perform any function, or render any service for another contracting recipient political subdivision that the contracting recipient political subdivision is otherwise legally authorized to exercise, perform, or render.

In the absence in the agreement of provisions determining by what officer, office, department, agency, or other authority the powers and duties of a contracting political subdivision shall be exercised or performed, the legislative authority of the contracting political subdivision shall determine and assign the powers and duties.

An agreement shall not suspend the possession by a contracting recipient political subdivision of any power or function that is exercised or performed on its behalf by another contracting political subdivision under the agreement.

A political subdivision shall not enter into an agreement to levy any tax or to exercise, with regard to public moneys, any investment powers, perform any investment function, or render any investment service on behalf of a contracting subdivision. Nothing in this paragraph prohibits a political subdivision from entering into an agreement to collect, administer, or enforce any tax on behalf of another political subdivision or to limit the authority of political subdivisions to create and operate joint economic development zones or joint economic development districts as provided in sections 715.69 to 715.83 of the Revised Code.

(C) No county elected officer may be required to exercise any power, perform any function, or render any service under an agreement entered into under this section without the written consent of the county elected officer. No county may enter into an agreement under this section for the exercise, performance, or rendering of any statutory powers, functions, or services of any county elected officer without the written consent of the county elected officer.

(D) No power shall be exercised, no function shall be performed, and no service shall be rendered by a contracting political subdivision pursuant to an agreement entered into under this section within a political subdivision that is not a party to the agreement,

without first obtaining the written consent of the political subdivision that is not a party to the agreement and within which the power is to be exercised, a function is to be performed, or a service is to be rendered.

(E) Chapter 2744. of the Revised Code, insofar as it applies to the operation of a political subdivision, applies to the political subdivisions that are parties to an agreement and to their employees when they are rendering a service outside the boundaries of their employing political subdivision under the agreement. Employees acting outside the boundaries of their employing political subdivision while providing a service under an agreement may participate in any pension or indemnity fund established by the political subdivision to the same extent as while they are acting within the boundaries of the political subdivision, and are entitled to all the rights and benefits of Chapter 4123. of the Revised Code to the same extent as while they are performing a service within the boundaries of the political subdivision.

Amended by 129th General Assembly File No. 64, HB 225, § 1, eff. 3/22/2012.

Chapter 167: REGIONAL COUNCILS OF GOVERNMENTS

Section 167.01167.01 Regional councils of government.

That governing bodies of any two or more counties, municipal corporations, townships, special districts, school districts, or other political subdivisions may enter into an agreement with each other, or with the governing bodies of any counties, municipal corporations, townships, special districts, school districts or other political subdivisions of any other state to the extent that laws of such other state permit, for establishment of a regional council consisting of such political subdivisions.

Effective Date: 11-17-1967

Section 167.02167.02 Membership.

(A) Membership in the regional council shall be the counties, municipal corporations, townships, special districts, school districts, and other political subdivisions entering into the agreement establishing the council or admitted to membership subsequently pursuant to the agreement establishing the council or the bylaws of the council. Representation on the council may be in the manner as provided in the agreement establishing the council.

(B) If the agreement establishing the council does not set forth the manner for determining representation on the council such representation shall consist of one representative from each county, municipal corporation, township, special district,

school district, or other political subdivision entering into the agreement, or subsequently admitted to membership in the council. The representative from each member county, municipal corporation, township, special district, school district, or other political subdivision shall be elected chief executive thereof, or, if such county, municipal corporation, township, special district, school district, or other political subdivision does not have an elected chief executive, a member of its governing body chosen by such body to be its representative.

(C) The director of development shall assist the council in securing the cooperation of all appropriate agencies of the state or of the United States to aid in promoting the orderly growth and development of the area, solving the problems of local government, and discharging the responsibilities and duties of local government in the most efficient possible manner.

(D) Any county, municipal corporation, township, special district, school district, or other political subdivision which has become a member of the council may withdraw by formal action of its governing board and upon sixty days notice to council after such action, or in the manner provided in the agreement establishing the council, provided no such procedure relative to withdrawals in the agreement establishing the council shall require the political subdivision desiring to withdraw to retain its membership in the council for a period in excess of two years.

Effective Date: 11-13-1992

Section 167.03

(A) The council shall have the power to:

(1) Study such area governmental problems common to two or more members of the council as it deems appropriate, including but not limited to matters affecting health, safety, welfare, education, economic conditions, and regional development;

(2) Promote cooperative arrangements and coordinate action among its members, and between its members and other agencies of local or state governments, whether or not within Ohio, and the federal government;

(3) Make recommendations for review and action to the members and other public agencies that perform functions within the region;

(4) Promote cooperative agreements and contracts among its members or other governmental agencies and private persons, corporations, or agencies;

(5) Perform planning directly by personnel of the council, or under contracts between the council and other public or private planning agencies.

(B) The council may:

(1) Review, evaluate, comment upon, and make recommendations, relative to the planning and programming, and the location, financing, and scheduling of public facility projects within the region and affecting the development of the area;

(2) Act as an areawide agency to perform comprehensive planning for the programming, locating, financing, and scheduling of public facility projects within the region and affecting the development of the area and for other proposed land development or uses, which projects or uses have public metropolitan wide or interjurisdictional significance;

(3) Act as an agency for coordinating, based on metropolitan wide comprehensive planning and programming, local public policies, and activities affecting the development of the region or area.

(C) The council may, by appropriate action of the governing bodies of the members, perform such other functions and duties as are performed or capable of performance by the members and necessary or desirable for dealing with problems of mutual concern.

(D) The authority granted to the council by this section or in any agreement by the members thereof shall not displace any existing municipal, county, regional, or other planning commission or plan.

Section 167.04

(A) The regional council of governments shall adopt by-laws, by a majority vote of its members, designating the officers of the council and the method of their selection, creating a governing board that may act for the council as provided in the by-laws, and providing for the conduct of its business.

(B) The by-laws of the regional council of governments shall provide for the appointment of a fiscal officer, who may hold any other office or employment with the council, and who shall receive, deposit, invest, and disburse the funds of the council in the manner authorized by the by-laws or action by the council.

(C) The by-laws of a regional council of governments the members of which include, under sections and of the Revised Code, at least eight counties may include a provision authorizing member attendance and voting at council meetings either in person or by proxy.

Effective Date: 11-17-1967; 2007 HB119 09-29-2007

Section 167.05

The council may employ such staff and contract for the services of such consultants and experts, and may purchase or lease or otherwise provide for such supplies, materials, equipment, and facilities as it deems necessary and appropriate in the manner and under procedures established by the by-laws of the council.

Effective Date: 11-17-1967

Section 167.06

(A) The governing bodies of the member governments may appropriate funds to meet the expenses of the council. Services of personnel, use of equipment, and office space, and other necessary services may be accepted from members as part of their financial support. The members of the council, or the state of Ohio, its departments, agencies, instrumentalities, or political subdivisions or any governmental unit may give to the council moneys, real property, personal property, or services. The council may establish schedules of dues to be paid by its voting members to aid the financing of the operations and programs of the council in the manner provided in the agreement establishing the council or in the by-laws of the council. The council may permit non-member political subdivisions to participate in any of its activities regardless of whether such political subdivisions have paid dues to the council.

(B) The council may accept funds, grants, gifts, and services from the government of the United States or its agencies, from this state or its departments, agencies, instrumentalities, or from political subdivisions or from any other governmental unit whether participating in the council or not, and from private and civic sources.

(C) The council shall make an annual report of its activities to the member governments.

Effective Date: 11-17-1967

Section 167.07

Membership on the council and holding an office of the council does not constitute the holding of a public office or employment within the meaning of any section of the Revised Code. Membership on the council and holding an office of the council shall not constitute an interest, either direct or indirect, in a contract or expenditure of money by any municipal corporation, township, special district, school district, county, or other political subdivision. No member or officer of the council shall be disqualified from holding any public office or employment, nor shall such member or officer forfeit any

such office or employment, by reason of his position as an officer or member of the council, notwithstanding any law to the contrary.

Effective Date: 11-17-1967

Section 167.08

The appropriate officials, authorities, boards, or bodies of counties, municipal corporations, townships, special districts, school districts, or other political subdivisions may contract with any council established pursuant to sections to , inclusive, of the Revised Code to receive any service from such council or to provide any service to such council. Such contracts may also authorize the council to perform any function or render any service in behalf of such counties, municipal corporations, townships, special districts, school districts, or other political subdivisions, which such counties, municipal corporations, townships, special districts, school districts, or other political subdivisions may perform or render.

Effective Date: 11-17-1967

4117.03 Rights of public employees.

(A) Public employees have the right to:

- (1) Form, join, assist, or participate in, or refrain from forming, joining, assisting, or participating in, except as otherwise provided in Chapter 4117. of the Revised Code, any employee organization of their own choosing;
- (2) Engage in other concerted activities for the purpose of collective bargaining or other mutual aid and protection;
- (3) Representation by an employee organization;
- (4) Bargain collectively with their public employers to determine wages, hours, terms and other conditions of employment and the continuation, modification, or deletion of an existing provision of a collective bargaining agreement, and enter into collective bargaining agreements;
- (5) Present grievances and have them adjusted, without the intervention of the bargaining representative, as long as the adjustment is not inconsistent with the terms of the collective bargaining agreement then in effect and as long as the bargaining representatives have the opportunity to be present at the adjustment.

(B) Persons on active duty or acting in any capacity as members of the organized militia do not have collective bargaining rights.

(C) Except as provided in division (D) of this section, nothing in Chapter 4117. of the Revised Code prohibits public employers from electing to engage in collective bargaining, to meet and confer, to hold discussions, or to engage in any other form of collective negotiations with public employees who are not subject to Chapter 4117. of the Revised Code pursuant to division (C) of section 4117.01 of the Revised Code.

(D) A public employer shall not engage in collective bargaining or other forms of collective negotiations with the employees of county boards of elections referred to in division (C)(12) of section 4117.01 of the Revised Code.

(E) Employees of public schools may bargain collectively for health care benefits.

Amended by 129th General Assembly File No. 28, HB 153, § 101.01, eff. 9/29/2011.

Amended by 129th General Assembly File No. 39, SB 171, § 1, eff. 6/30/2011.

Effective Date: 04-01-1984; 05-07-2004; 09-29-2005; 2007 HB119 09-29-2007

The amendment to this section by 129th General Assembly File No. 10, SB 5, § 1 was rejected by voters in the November, 2011 election.

4117.08 Matters subject to collective bargaining.

(A) All matters pertaining to wages, hours, or terms and other conditions of employment and the continuation, modification, or deletion of an existing provision of a collective bargaining agreement are subject to collective bargaining between the public employer and the exclusive representative, except as otherwise specified in this section and division (E) of section of the Revised Code.

(B) The conduct and grading of civil service examinations, the rating of candidates, the establishment of eligible lists from the examinations, and the original appointments from the eligible lists are not appropriate subjects for collective bargaining.

(C) Unless a public employer agrees otherwise in a collective bargaining agreement, nothing in Chapter 4117. of the Revised Code impairs the right and responsibility of each public employer to:

(1) Determine matters of inherent managerial policy which include, but are not limited to areas of discretion or policy such as the functions and programs of the public employer,

standards of services, its overall budget, utilization of technology, and organizational structure;

- (2) Direct, supervise, evaluate, or hire employees;
- (3) Maintain and improve the efficiency and effectiveness of governmental operations;
- (4) Determine the overall methods, process, means, or personnel by which governmental operations are to be conducted;
- (5) Suspend, discipline, demote, or discharge for just cause, or lay off, transfer, assign, schedule, promote, or retain employees;
- (6) Determine the adequacy of the work force;
- (7) Determine the overall mission of the employer as a unit of government;
- (8) Effectively manage the work force;
- (9) Take actions to carry out the mission of the public employer as a governmental unit.

The employer is not required to bargain on subjects reserved to the management and direction of the governmental unit except as affect wages, hours, terms and conditions of employment, and the continuation, modification, or deletion of an existing provision of a collective bargaining agreement. A public employee or exclusive representative may raise a legitimate complaint or file a grievance based on the collective bargaining agreement.

Effective Date: 04-01-1984; 09-29-2005; 2007 HB119 09-29-2007

The amendment to this section by 129th General Assembly File No. 10, SB 5, § 1 was rejected by voters in the November, 2011 election.