



State of Ohio
State Employment Relations Board
65 East State Street, 12th Floor
Columbus, Ohio 43215-4213
(614) 644-8573

<http://www.serb.state.oh.us/2000%20forms/ULP/ULPC.PDF>

Case No. _____

UNFAIR LABOR PRACTICE CHARGE

INSTRUCTIONS: File *one original and one copy* of this form with the State Employment Relations Board at the above address. Serve *one copy* on the party against whom the charge is brought. See Ohio Administrative Code Rule 4117-1-02. If more space is required for any item, attach additional sheets; please number the items accordingly.

NOTE: If you wish to file unfair labor practice charges against both the employer and the union, then separate Unfair Labor Practice Charge forms must be filled out. For the form(s) to be filed against the union, fill out all sections of this form. For the form(s) to be filed against the employer, fill out all sections except section four, which is used to identify the employer for charges filed against the union or its representative(s).

1. Party Filing Charge: (Check One)

☒ Employee Organization/Union ☐ Employee ☐ Employer ☐ Other _____

Name:

George Johnson

Address:

720 Wolf Ledges Pkwy.

Telephone: work (330) 762-7351
home (614) 679-5503

City, County, State, Zip:

Akron, Summit, Ohio, 44311

E-mail:

afscme1360@att.net

2. Name of Person Representing the Party Filing Charge: (Representative must file a Notice of Appearance form.)

George Johnson, President AFSCME Local 1360 City of Akron Employees Union

Address:

720 Wolf Ledges Pkwy.

Telephone:
(330) 762-7351

City, State, Zip:

Akron, Ohio 44311

E-mail:

afscme1360@att.net

3. Party Against Whom This Charge is Brought: (Check Only One)

☐ Employee Organization/Union ☐ Employee ☒ Employer ☐ Other _____

Name:

City of Akron and Councilwoman Tara Mosley-Samples

Address:

166 S. High Street

Telephone:
(330) 375-2030

City, County, State, Zip:

Akron, Summit, Ohio 44308

E-mail:

4. Employer: (If different from item 1 or 3)

Address:

Telephone:
()

City, County, State, Zip:

E-mail:

5. Basis of Charge: The party against whom this charge is brought was engaged in or is engaged in unfair labor practices within the meaning of Ohio Revised Code Section 4117.11. (Check appropriate subsections only.)

Charges against employers: (A)(1) ☐ (A)(2) ☐ (A)(3) ☒ (A)(4) ☐ (A)(5) ☐ (A)(6) ☐ (A)(7) ☐ (A)(8) ☐

Charges against unions or employees: (B)(1) ☐ (B)(2) ☐ (B)(3) ☐ (B)(4) ☐ (B)(5) ☐ (B)(6) ☐ (B)(7) ☐ (B)(8) ☐

6. Statement of Facts: Provide a clear and concise statement of the facts constituting the alleged unfair labor practice(s), including the names of individuals involved and the dates and places of the occurrences giving rise to the charge. (If more space is required, add additional sheets.)

Please see attached

A failure to provide the above information could result in the charge being dismissed for failure to provide a clear and concise statement.

DECLARATION

I declare that I have read the contents of this Unfair Labor Practice Charge and that the statements it contains are true and correct to the best of my knowledge and belief.

To distinguish originals, please do not use black ink for signatures.


Signature of Person Attesting to Content of Form

June 29, 2015

Date

George Johnson

Print or Type Name

THIS UNFAIR LABOR PRACTICE CHARGE WILL NOT BE ACCEPTED FOR FILING UNLESS THE PROOF OF SERVICE IS FULLY COMPLETED AND BEARS AN ORIGINAL SIGNATURE OF A REPRESENTATIVE OF THE PARTY FILING THE CHARGE.

PROOF OF SERVICE

I certify that an exact copy of the foregoing Unfair Labor Practice Charge has been sent or delivered to:

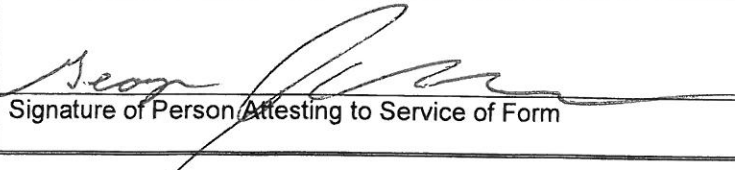
City of Akron Law Department, Akron City Council President, Councilwoman Tara Mosley- Samples

(Name and complete address of party against whom this charge is brought)

Councilwoman Samples, 166 S. High St. Akron, Ohio 44308

By ☐ Regular U.S. Mail ☐ Certified U.S. Mail ☒ Hand Delivery ☐ Other _____

this Tuesday 30th (day) of June (month), 2015 (year).


Signature of Person Attesting to Service of Form

George Johnson

Print or Type Name



AFSCME Local 1360 Akron City Employees

720 Wolf Ledges Pkwy Suite 201 Akron, OH 44311
Ph: (330) 762-7351 Fax: (330) 762-0519 email: afscme1360@att.net

George Johnson, President Earnest Steele, Vice President
Stephanie Bonner, Secretary-Treasurer Peter DiBona, Recording Secretary Garland Paynther, Grievance Chairman
Executive Board Members: Ronald Buck, Anthony Brinson Trustees: Melwyn Hopson, Christopher McKissack, Arzella Burnside

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June 29, 2015

State of Ohio
State Employee Relations Board

Re: ULP Statement of Facts

Thursday, June 25, 2015 I received a phone call from Akron City Councilwoman Tara Mosley- Samples. I did not answer the telephone and allow it to go to voicemail about 15 min. later I listened to the message that Councilwoman Samples left. She stated in her message that she had received information from one of AFSCME Local 1360 union members that attended the AFSCME Local 1360 Union membership meeting, in which I am the President and chairmen, held on Wednesday, June 24, 2015.

Ms. Samples stated in her message "I had gave the membership misleading information about a appointment to city Council in the Ward 10's open seat.

She went on the say that I was wrong in my statements to my membership and I should've contacted her before I gave any information on the outcome of that appointment. She made statements saying the appointee Jack Hefner was not qualified and she had no information on him to make a sound decision"

I then received a phone call from AFSCME Local 1360 Grievance Chairman and Board Member Garland Paynther who informed me that Councilwoman Tara Mosley-Samples had just called him on his cell phone attempting to discuss what she was told that was said at our union meeting, I then realize she had cross the line violating the contract (Article II; Management Rights and Article III; Union Recognition also creating an unfair labor practice, ORC 4117.03, (A); Protected Activities.

I then sent her a text, I stated "from where we stand it is what it is and from where most of us union reps see it there is nothing to talk about your, reasoning has no merit".

Ms. Mosley-Samples, replied in a texting, "I will be sending an e-mail because what has been replied to your members is not true the process was flawed and not one union person called saying support Hefner".

My reply, "ok. But what is talked about in our union meetings with other union members are the business of the union".

On Friday, June 26, 2015 Councilwoman Mosley-Samples made good on her threat, she sent out an e-mail stating "I am sending you all the attached letter with great concern and would appreciate a call or a response to this matter".

The above named e-mail along with the letter are enclosed with this statement of facts.



6/29/15

Councilwoman Samples believes I made certain statement at our closed door union meeting. If I ever had to prove what was stated in any of our meetings I can do so without a shadow of a doubt. I am confident that my comments where will within my rights and respectful to the issue at our union meeting on Wednesday, June 24, 2015

This is not the first time that Councilwoman Samples has misused her authority in relationship to AFSCME Local 1360.

When pushing for a resolution to reduce the criteria for felons to be hired within the City of Akron, Councilwoman Mosley-Samples stated on the floor of Akron City Council that George Johnson and Garland Panther supported this resolution.

Myself and Mr. Panther never told Councilwoman Mosley-Samples or anyone else that we were supporting that resolution.



George Johnson

President AFSCME Local 1360

City of Akron Employee Union.

AFSCME Ohio Council 8, Akron Regional Vice President

Cc: City of Akron Law Department and Council President

T. Mosley-Samples

AFSCME Ohio Council 8

File



AFSCME Local 1360 Akron City Employees

720 Wolf Ledges Pkwy Suite 201 Akron, OH 44311
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To Whom It May Concern,

June 30, 2015

This statement is in regards to a phone call received by Garland L. Paynther from Councilwoman Tara Mosey-Samples on June 25, 2015 approximately 5:54 pm. This phone call lasted approximately 8 minutes and 38 seconds. Mrs. .Samples stated in her call that "A member called her after our membership meeting June 24, 2015 stating that President George Q. Johnson was telling members not to vote for her and other Council people". I then corrected her and told her that wasn't true and the only thing discussed in that meeting in regards to City Council was How the Vote went for Ward 10 Councilman and who voted yea or nay . I also told MRS. Mosely-Samples whomever called her with that information was wrong. She went on to say if "George Q. Johnson said this he was wrong". And went on to say that "no one gave her MR. Hefner information or resume and that Eric Garrett was more qualified for the Ward 10 Councilman". I stated "No he isn't "and then Mrs. Mosely-Samples ended conversation saying she had to go and would call me back she didn't call me back. Council Woman Mosely-Samples contacted me via e-mail Friday June 26, 2015 and Monday June 29, 2015 (see attached emails and letter). What Council woman Mosely-Samples doesn't understand is that I am obligated by my Local ,Council 8 and International Constitutions to serve my membership in the capacity of Grievance Chairman I do not and cannot over ride anything a sitting President says or does . And the realm of politics doesn't play a part in any of those Constitutions. Nor do I have to justify or explain what goes on to any City cabinet member in our membership meetings at any time.

Respectfully,

A handwritten signature in cursive script, appearing to read "Garland L. Paynther".

Garland L. Paynther
Grievance Chairman

Cc: State Employment Relations Board
File



Ohio Council 8 AFL-CIO
American Federation of State, County, and Municipal Employees

www.afscme1360.org
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