

OHIO TURNPIKE COMMISSION

**Resolution Authorizing the Executive Director and/or Chairman
to Enter into Contracts for Security Services and/or Replacement Workers
in the Event of an Impending Work Stoppage**

WHEREAS, the Commission is authorized pursuant to Ohio Revised Code Section 5537.04 to employ such personnel as are necessary to operate and maintain the Ohio Turnpike System in order to facilitate vehicular traffic throughout the State of Ohio in order to promote the agricultural, commercial, recreational and industrial development of the State; and

WHEREAS, the Commission employs full-time and part-time toll collectors to staff its Toll Operations in order to maintain and operate the Ohio Turnpike System in an efficient, economical and safe manner, which employees are represented by the Teamsters Local Union 436; and

WHEREAS, the Commission also employs staff in its Maintenance Department to provide Turnpike customers with a well-maintained and safe highway, especially in inclement weather, which employees are also represented by the Teamsters Local Union 436; and

WHEREAS, the current agreement with the Teamsters Local Union 436 will expire on January 17, 2005, and the general counsel has reported that a successor agreement with the Union has not been reached as a result of the Commission's good faith negotiations, and this matter has recently been presented for fact-finding on December 16, 2004; and

WHEREAS, the Commission has received reports indicating that the membership of the Teamsters Local Union 436 has voted to engage in a work stoppage in the event a new agreement has not been reached by the expiration date of the current contract; and

WHEREAS, in its ongoing strike contingency planning efforts, the Commission's Human Resources staff has actively solicited proposals for the provision of both security services and/or contracting for replacement workers; and

WHEREAS, the Commission's director of contracts administration has advised the chairman and executive director that the Commission has full legal authority to enter into the above-mentioned contingency contract(s) and that the proposed contracts, if needed, would in all respects be valid and legal; and

WHEREAS, the executive director and director of contracts administration recommend that the Commission adopt this resolution authorizing execution of the aforementioned contingency contract(s), if needed, to maintain and operate the Ohio Turnpike System in an efficient, economical and safe manner; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby authorizes the chairman and/or executive director to enter into contract(s) for the aforementioned security services and/or replacement workers in the event of a work stoppage and to take such other measures as they deem necessary to keep the Turnpike open and operational; and

FURTHER RESOLVED that the executive director shall keep the Commission Members apprised of current developments and shall present a resolution ratifying the above-mentioned contract(s) should the contract amounts exceed the executive director's contracting authority.

(Resolution No. 64-2004 adopted December 20, 2004)