

Legislative Issue Brief

Support Township Fire Fighters

The Issue: Ohio law defines townships as public employers only when the Township has an unincorporated population of greater than 5,000. This quirk in the law has created a “loophole” which is being used to deny collective bargaining rights to fire and EMS personnel across the State. As a result, certain fire fighters who are employed by relatively large fire departments have no right or ability to collectively bargain with their employers. More specifically, because the statute defined “public employer” only by reference to the population in the unincorporated area of the township, these fire fighters are not treated the same as their peers who are employed by other fire departments of similar size.

For example, some townships encompassing an incorporated area have less than five thousand population in the unincorporated area, but have well over five thousand in the city or village served by the township. Townships have a statutory obligation to provide fire protection to incorporated areas within township boundaries.

A prime example of this inequity is the Washington Township Fire Department in Franklin County. The total population of Washington Township is 29,534. This includes 2,447 in the unincorporated areas of Washington Township and 27,087 in the City of Dublin. The Washington Township Fire Department employs over 100 fulltime personnel, has 4 fire stations and a budget of over 15 million dollars. This is a large suburban department, the second largest in the county but due to the “loophole” in the law the safety forces are not eligible for collective bargaining.

Another issue of utmost importance is the ability for “loophole” employees to engage in work stoppages and other job actions. The statute in the current form leaves certain fire fighters without collective bargaining rights and it also does not prohibit those same fire fighters from engaging in work stoppages.

Action Needed: Fire fighters will be treated as equals under the collective bargaining law by amending to ORC 4117.01(B) in HB1 to remove the limit where only township fire fighters serving in unincorporated townships over 5,000 will qualify. This will allow all fire fighters to collectively bargain and, at the same time, prohibit strikes, work stoppages and other job actions. Binding arbitration would be used for dispute resolution and the public would be assured of uninterrupted safety services.