## Letter of Agreement

Pursuant to the Collective Bargaining Agreement, specifically Appendix S, (the agreement) for OCSEA and Chapter 4117 of the Ohio Revised Code (ORC), the State of Ohio, Department of Administrative Services, Office of Collective Bargaining (OCB), and OCSEA have reached the following agreement. This agreement becomes effective upon the date of signature by the Deputy Director of OCB, or his designee.

## Agreement

The parties agree to modify the Article 17 selection process as outlined below to permit Information Technology (IT) employees to bid into new positions that will be established to support the centralized services including servers, storage, network, mainframe, and security (IT Optimization). Management intends to accomplish this IT Optimization through repurposing and natural attrition. Selection of employees for positions related to IT optimization shall occur as follows:

- DAS employees in positions who perform at least 80% of the duties in the revised position description will remain in their current classification but may be subject to reorganization.
- Additional positions will be filled through a posting and selection process as described below. Positions will only be posted for candidates internal to the State. Article 17 shall be followed except as specifically modified by this agreement.
- Section 17.02(E) of the collective bargaining agreement shall be modified as follows:
    - Vacancies shall be filled by adhering to the following processes in the order set forth:
        1. Lateral transfer;
        2. Promotion; and
        3. Demotions.
- The definitions of lateral transfer, promotion, and demotions under Section 17.02 are modified to include positions related to IT Optimization (server, storage, network, mainframe, and security).
- Employees who are selected for a lateral transfer to a position related to IT Optimization shall not serve a probationary period.
- Section 17.04 of the collective bargaining agreement shall be modified as follows:
    - Upon receipt of all bids DAS shall divide them as follows:
        1. All permanent IT employees of the State.
        2. All other IT employees of the State, including intermittents.
    - Employees serving either in an initial probationary period, trial period or promotional probationary period shall be permitted to bid on vacancies related to IT Optimization, but shall be required to complete their probationary period, even upon transfer to DAS.
- Section 17.05 of the collective bargaining agreement shall be modified as follows:
    - The Agency shall first review bids for lateral transfer of permanent IT State employees. The selection shall be made on the basis of qualifications, experience, education, and active disciplinary record. When these factors are substantially equal, State seniority shall be the determining factor.
    - If the vacancy is not filled through the lateral transfer of a permanent IT State employee, bids for promotion of permanent IT State employees shall be considered under the same standard.

- If the vacancy is not filled through the promotion of a permanent IT State employee, bids for demotion of permanent IT State employees shall be considered under the same standard.
- If all options for permanent IT State employees have been exhausted, bids by other IT State employees, including intermittents, will be considered in the same order (lateral, promotion, demotion).

- Employees who bid and are not selected shall have grievance rights, except as provided in Article 17 for employees with active discipline. Grievances for non-selection under this agreement shall be processed through the labor caucus 8.05 Committee and advanced directly to Step 3 with DAS, Office of Employee Services, 30 East Broad Street, 40th Floor, Columbus, OH 43215. If unable to be resolved at Step 3, the grievance shall be moved to an expedited arbitration following the rules set forth in Section 25.10 of the collective bargaining agreement. The parties acknowledge that stewards may cross agency lines to represent members who file such grievances.

The State recognizes that as a result of IT Optimization there may be employees who remain at their agency, but whose duties are moved to DAS. These employees will be eligible for repurposing and retraining.

- The appropriate management representative will meet with effected employees and develop an individual retraining/repurposing plan with that employee.
- Effected employees will receive time off with pay to attend classes/training sessions as identified by the Agency. These classes/training sessions will be paid for by the Agency.
- Effected employees may elect to request leave time and other resources (e.g. UET) to seek training in other areas of interest.
- The parties agree that other options for repurposing and retraining employees may also be explored.

**Scope of Agreement**

This agreement constitutes the complete understanding of the parties and merges and supersedes all other discussions, agreements, and understandings, either oral or written between the parties with respect to the subject matter thereof. This letter of agreement may be used by either party only to enforce its provisions and will not be used in any unrelated hearing, grievance, arbitration or negotiation.

**Termination and Modification**

This agreement shall remain in effect through December 31, 2015. The parties may agree to extend this agreement. Any such extension must be in writing and executed by the parties.

ODAS, Office of Collective Bargaining — Date 7/8/15

7/8/15

[Union] Date

[Union] Date

Kenneth S Kerns 7/2/2015

[illegible] 7/2/15

[illegible] 7/2/15

James R Benedict 7-2-2015

Kelly C Phillips 7-2-15

[illegible] 7/2/2015

[illegible] 7/7/15