**STATE OF OHIO**
**STATE EMPLOYMENT RELATIONS BOARD**

In the Matter of

Robert Gibson,

Charging Party,

v.

Ohio Association of Public School Employees, AFSCME and Its Local 537,

Charged Party.

Case Number: 2026-ULP-04-0081

## DISMISSAL OF UNFAIR LABOR PRACTICE CHARGE

Before Chair Zimpher, Vice Chair Collins, and Board Member Walter: October 22, 2026.

Robert Gibson (Charging Party) filed an unfair labor practice charge against the Ohio Association of Public School Employees, AFSCME and Its Local 537 (Charged Party). Charging Party alleged Charged Party violated R.C. 4117.11(B)(1), (2) and (6) by continuing to require dues deductions after the Charging Party resigned his union membership and attempted to revoke his dues deduction authorization.

Pursuant to R.C. 4117.12, the State Employment Relations Board conducted an investigation of this charge. The investigation revealed no probable cause existed to believe Charged Party violated R.C. 4117.11. Information gathered during the investigation revealed that the Charging Party resigned union membership and attempted to revoke dues deduction authorization in August of 2025, but the Charged Party determined the dues revocation request did not conform with the requirements of the Charging Party's original signed authorization and continued to treat the dues deduction authorization as active. The Charging Party contends the revocation was timely because the revocation document was signed and dated within the required annual ten (10) day revocation window. However, the Charged Party contends the request was not timely submitted or received under the terms of the authorization since it was not mailed until August 20, 2025, nor was it received until August 25, 2025, and therefore advised the Charging Party by letter dated September 3, 2025 that, although the resignation from membership was acknowledged, the dues deduction authorization would remain in effect. The evidence does not establish that the Charged Party acted arbitrarily, discriminatorily, or in bad faith. Rather, the record reflects that the Charged Party responded to the Charging Party's request in a timely fashion, stated the reason for its action, and relied upon the language of the signed authorization in denying the attempted revocation.

The Charging Party also failed to identify how the Charged Party caused the Employer to violate division (A) of [R.C. 4117.11]. The submitted documentation also reflects that the Charging Party was on notice no later than September 3, 2025 that the Charged Party considered the revocation ineffective. However, the related ULP charge was not filed until April 9, 2026. Accordingly, the charge is also untimely filed.

The submitted documentation does not establish that the Charged Party violated R.C. 4117.11(B)(1), (2), or (6). Accordingly, the charge is dismissed with prejudice for lack of probable cause to believe the statute has been violated and for being untimely filed.

It is so directed.

ZIMPHER, Chair; COLLINS, Vice Chair; and WALTER, Board Member, concur.

W. CRAIG ZIMPHER, CHAIR

I certify that this document was filed and a copy served upon each party or the representative of each party by registered e-mail, on this 22nd day of October, 2026.

ERIN E. CONN
ADMINISTRATIVE OFFICER