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STATE OF MICHIGAN  
BEFORE THE DEPARTMENT OF LABOR  
EMPLOYMENT RELATIONS COMMISSION

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IN RE:

CITY OF BIRMINGHAM

and

TEAMSTERS LOCAL 214

*William Ellmann*  
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Michigan State University  
LABOR AND INDUSTRIAL  
RELATIONS LIBRARY

FACT FINDING RECOMMENDATIONS

Fact findings hearings or negotiations were held at 1800 Penobscot Building, Detroit, Michigan on October 23, October 30, November 17 and November 20 between the City of Birmingham and Teamsters Local 214.

Although the original exhibit of the Teamsters indicated that some nineteen issues were still unsettled between the parties, through negotiation participated outside the fact finders presence but frequently in our office, these issues have been reduced to approximately seven. Concerted effort was made from time to time to whether the parties could resolve any of the fundamental issues.

Present and participating in the hearings from time to time:

*Birmingham, City of*

For the City of Birmingham

George L. Rickey, Personnel Director  
Earl Boonstra, Attorney for the City of Birmingham  
R. S. Kenning, City Manager  
Darrel Middlewood, Superintendant, Parks and Recreation  
Chester Hunter, Superintendant, Dept. Public Works

For the Teamsters Local 214

Joseph Valenti, President, Teamsters Local 214  
Paul Gully, Assistant to the President, EPC  
Louis Garner  
Thomas Devitt

The bargaining unit covers some 50 people. Negotiations have been carried on for some time and a request for fact finding was made by the Union on or about

Among the issues remaining with the fact finder are the following:

1. One additional holiday 1969
2. Teamsters' Eye and Dental insurance
3. Additional personal leave day - 1969
4. Vacations: 1 year - 2 weeks  
5 years - 3 weeks  
15 years - 4 weeks
5. Sick Leave - 1 day per month to be available on a month to month basis. May accumulate 120 days.
6. Retroactive pay to July 1, 1969
7. Wages and Cost of Living Base
8. Working in a higher class to be paid the higher rate immediately. (Reserved)

In reference to No. 8 above:

1. Louis Garner
2. Steven Jacobson
3. Ralph Shead
4. Ron Luxton
5. Richard Calkins
6. Harold Klavitter

1. One additional holiday, 1969 and additional personal leave day during 1969. The Union apparently wishes to have one day during 1969 regardless of what it is called. They do not ask for two days during 1969. The fact finder believes that the Union should receive one additional day and suggests that it be designated as a holiday rather than a personal leave day. In referring to the City's Exhibit No. 3, it appears that most of the cities including Clawson, Ferndale, Hazel Park, Madison Heights, Oak Park, Royal Oak, and Huntington Woods exceed Birmingham in the total days referred to. A copy of this exhibit is attached hereto and made part hereof.

2. Eye and Dental Insurance

In Exhibit 4 of the City, made part hereof, it is the City's position that only one city has now adopted eye and dental care. If we are to use the argument that no one else has this except Madison Heights, then it can well be argued that no one is entitled to move on benefits until a majority of the other cities have designated them as part of the package. The fact finder does not put much weight in the argument. The fact finder believes that the City of Birmingham should give eye and dental care to its employees. Rather than deciding the question of whether this should be added to a wage package, in fairness to Birmingham, any sums on which a recommendation for increase is made later in this report should be

included in the wage increase. I believe that the employees should have the right to convert any wages given to them or any part of the wage increase to a program of eye and dental care.

3. Vacations

The Union asked for 1 year - 2 weeks, 5 years - 3 weeks 15 years - 4 weeks. The fact finder understands that the administrative group running the City are also subject to the same schedule. The fact finder believes that vacations should be handled in the following manner:

1 year - 10 days  
5 years - 2 1/2 weeks  
10 years - 3 weeks

4. Sick Leave

One day per month sick leave to be available on a month to month basis and may accumulate 120 days. The fact finder believes the request is not out of line on either basis and therefore recommends the adoption of this request.

5. Retroactive pay to July 1, 1969

The new fiscal year starts on July 5, 1969 and therefore the fact finder recommends that retroactivity be to that date. (Note qualification below).

6. Wages and Cost of Living

The City rejects any cost of living increase or base. In the light of the tremendous increases in the cost of living in this country with what appears to be runaway inflation the fact finder believes that a one year contract may well contain cost of living increases. Therefore, the fact finder recommends the adoption of the attached figures without a cost of living factor in the one year contract under review.

7. Reserve on Issue of Classification

Both parties have given assurances that the issue of the classification of Louis Garner, Steven Jacobson, Ralph Shead, Ron Luxton, Richard Calkins and Harold Klavitter will be promptly resolved. The fact finder reserves this issue and will reconsider it if not resolved within thirty days.

8. Future Contracts


After meeting on this matter a considerable number of times with the parties and their very able representatives, it is the feeling of the fact finder that future contracts should contain a reference to cost of living. The fact finder also believes that peace between the parties may be maintained in a better fashion by a mutual acceptance of the existence of each other and a longer contractual term so that both sides may avoid costly and drawn out

debates.

Respectfully submitted,

WILLIAM M. ELLMANN

Dated December 5, 1969

  
1800 Penobscot Building  
Detroit, Michigan 48226  
961-7400

Fact Finder exhibit (a)

	<u>Date</u>		<u>Date</u>
	<u>7/5/69</u>		<u>Dec. 4, 69 (if ratified within three weeks)</u>
Class	I	\$3.50	\$3.55
	II	\$3.78	\$3.83
	III	\$3.98	\$4.03
	IV	\$4.15	\$4.20
	V	\$4.36	\$4.40

William M. Ellmann