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STATE OF MICHIGAN
DEPARTMENT OF LABOR
EMPLOYMENT RELATIONS COMMISSION

In the Matter of
INGHAM COUNTY BOARD OF COMMISSIONERS
Lansing, Michigan

-and

MICHIGAN NURSES ECONOMIC SECURITY ORGANIZATION
Division of Michigan Nurses Association

Case No. R 69 A-20

LABOR AND INDUSTRIAL

RELATIONS

Michigan State University

Ingham County

On January 13, 1970 the undersigned, Leon J. Herman, was appointed by the Employment Relations Commission as its hearings officer and agent to conduct a fact finding hearing relevant to the matters in dispute between the above parties, pursuant to Section 25 of Act 176 of Public Acts of 1939 as amended, and the Commission's regulations. Accordingly, and upon due notice, hearings were scheduled and held on February 7, March 5, March 11 and April 12, 1970 at the Ingham County Health Department offices, 808 Southland, Lansing, Michigan.

DONALD G. HUBER, Attorney and Personnel Committee Member; DERWOOD L. BOYD, Chairman, Board of Supervisors; GRADY J. PORTER and DORR L. ECKHART, Health Committee Members; RAY W. BURGESS, Chairman, Personnel Committee; TED W. FAY, Member, Personnel Committee; LAWRENCE D. PARKER, Board Controller; and MAURICE REIZEN, M.D., Director, Ingham County Department of Health, represented the Board.

CHARLES W. MARKS and THOMAS BARNES, Michigan Nurses Association representatives; BYRON H. HIGGINS, Attorney; CONNIE MEADE, EVELYN MENDENHALL, Public Health Nurses; and RUTH CLEAVELAND, Director of Nursing, Highland Park General Hospital, appeared on behalf of the Association.

The parties have agreed upon all matters in dispute with the exception of salaries and a mileage allowance for use of the employees' personal cars.

F.F. Leon J. Herman

At its September, 1969 session, held on Tuesday, August 14, 1969, the Ingham County Board of Commissioners, upon recommendation of its Personnel Committee, established classifications and compensation for all employees in the system, except for a number who remained unclassified and were treated on an individual basis. Included in the plan was a formula for mileage allowance to apply to all county employees required to drive their own motor vehicles in the course of employment with the county. The allowance is 10¢ per mile for the first 500 miles, 9¢ per mile for the second 500 miles and 8¢ per mile for all mileage over 1000 miles; all mileage to be accumulated on a monthly basis.

Public Health Group includes the Public Health Nurses under Grade 19. It lists a six month probationary period as 1, the second six months as 1½, with 2 through 6 indicating the second through sixth year respectively. Grade 19 for the year 1970 is to be compensated as follows:

1	1½	2	3	4	5	6
\$7775	7975	8175	8675	9150	9675	10225

The Public Health Nurses rejected the 1970 salary schedule, whereupon the Personnel Committee on December 9, 1969 resolved that

The 1970 Ingham County Classification and Compensation Plan approved by the County Board of Commissioners and the various county employee associations shall become effective for the member employees on January 1, 1970 at 12:01 A.M.

Be it further resolved that any employees whose representative association has not approved the 1970 agreement shall remain under the existing 1969 Plan.

As a result, since the first of the year, the Public Health Nurses have been continued under their 1969 Grade 19 salary:

1	1½	2	3	4	5	6
\$7710	7893	8075	8452	8849	9226	9704

The Nurses' initial demand was for the following salary rates:

1	1½	2	3	4	5	6
\$9226	9486	9704	10164	10962	11485	12034

In the course of the fact finding hearings each of these figures was reduced by \$100.00.

The Board subsequently made a new proposal for a two year contract with a starting salary for nurses hired after the signing of the contract of \$7500.00 during a 6 month probationary period, at the end of which time they would advance to \$8000.00. The probationary period could be waived upon recommendation of the Medical Director and the Public Health Committee with the approval of the Personnel Committee. The position of Public Health Nurse was to become an unclassified job and pay rates were to be established on an individual basis, on a salary schedule ranging from \$8000.00 to \$10300.00. Commencing January 1, 1971, all the nurses are to receive a 4% pay increase. Bargaining for a new contract was specified to commence in the month of April, 1971. The plan was made subject to the approval of the Ingham County Board of Commissioners and subject to acceptance by the Union no later than 2 P.M. of March 12, 1970, otherwise it would be deemed rejected and withdrawn. The offer was rejected by the Association.

The Board offered testimony showing that Public Health Nurses in seven counties with populations of 100,000 to 150,000 were paid salaries from \$6077 + 16.2% to \$7852 - 11.2%. Nurses with baccalaureate degrees were paid from a low of \$6903 + 7.3% to a high of \$8443 - 13.9%. All these rates are 1969 salaries.

The Association showed that Public Health Nurses in the City of Detroit receive \$8500 to \$10,000 and senior P H N's \$8800 to \$10300. In Oakland County the scale is \$8500 to \$9500 and \$10,000 to \$11,000 respectively. In Wayne County the rates run from \$9500 to \$11900, Genesee County from \$8091 to \$11253, Macomb County from \$8300 to \$10850, and Washtenaw County from \$7912 to \$11960. The city of Saginaw has established a rate of \$8222 to \$9996 effective July 1, 1970 and the city of Flint has a salary scale of \$8590 to \$11,573.

The Michigan State Department of Health on July 1, 1969 recommended that a Public Nurse with a B.S. Degree be paid \$8205.84 to \$10,815.84.

It has been established that a college degree in nursing is not a requirement listed in the job description in this department. Nevertheless the Medical Director has insisted that all nurses hired have baccalaureate degrees, which would put them into the higher classification as to salaries when compared to the other counties listed.

The action of the Personnel Committee in resolving that employees who have not accepted their proposed salary scale shall remain on the 1969 schedule, its subsequent action in declaring the jobs unclassified and further in allocating salaries to the nurses on an individual basis, savors of improper bargaining. The only purpose of such proposals would be to put undue pressure upon the nurses to accept the Board offer regardless of union recommendation. Such practices are not ordinarily condoned in this state and appear to me to be in violation of the rules against unfair labor practices. However, it is not my function to determine an unfair labor practice but only to determine what would be in my opinion a fair and reasonable salary schedule for these nurses.

I reject out of hand the latest county proposal, on the ground that it is strictly a union busting proposition designed to create dissension among the nurses. The proposed allocation of salaries has been made without any particular merit program that I have been made aware of and appears to be an arbitrary allocation of salary scales. It is also intended to disrupt entirely the step by step schedule that has been put into effect for classified employees elsewhere.

The Medical Director has testified that the nurses in this group are of a particularly high caliber and that they do an excellent job in serving the public. Certainly such devotion to their work should be adequately compensated. It is difficult to equate the employees in this group with those of a similar nature

in other districts because, whatever the content of the job descriptions may be, it is nevertheless true that the work and the caliber of work necessarily differs from county to county and from city to city.

It is also true that the increase in the cost of living in the year 1969, when the current pay rates were established, is 6.2%. Taking the 1969 Grade 19 salaries and applying an increase factor of 6.2% produces the following schedule:

1	1½	2	3	4	5	6
\$8158	8382	8576	8976	9398	9798	10306

Significantly these rates differ very little from the Grade 20 rates which the county has established for 1970. These rates are:

1	1½	2	3	4	5	6
\$8125	8350	8575	9050	9575	10125	10675

The starting salary at Grade 1 is only \$33.00 less than the 1969 rate plus 6.2%. At the sixth step it is \$369.00 more than the 1969 Grade 19 rate plus 6.2%. At step 2 they are only \$1.00 apart.

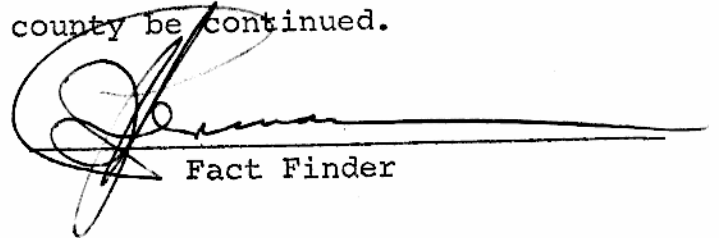
The Health Department has in past years wound up each year with a substantial surplus in its budget. The current budget will not indicate such surplus because the county has this year switched to a line budget which will not show a surplus in any particular department. Nonetheless guided by past experience, it is predictable that the Department of Health would show a surplus were its budget computed on the same basis as in 1969. While the budget funds have been fully allocated, there is no reason why a minor shift in allocation could not be made to satisfy these nurses with a satisfactory and reasonable salary schedule.

I believe that the nurses should remain on the classified schedule but that their position should be moved to grade 20 and that the salary schedule of grade 20 should be applied. While the County has rejected any retroactivity in pay, I believe that this position is completely unjustified, and I recommend that the nurses be placed on Grade 20 effective as of January 1, 1970, and that they be increased in

salary on their anniversary dates as they arrive at the next step in the grade progression.

The salary schedule I have recommended is within the guidelines laid down by the county except for an increase of one point in grade, which to my mind is justified by the type of work these nurses are doing and their value to the county. The salaries are well within the range which the county can afford to pay and will compensate the nurses for the increased cost of living which they, like everyone else, have been forced to sustain. Furthermore, they are fairly well in line with salaries paid for like services in other areas of the state. It is my sincere hope that both parties will find this proposal acceptable.

The nurses have also asked for a flat mileage reimbursement of 12¢ per mile. My own experience tends to the belief that 12¢ per mile is hardly excessive reimbursement for automotive costs. However, I do not wish to disturb a pattern that has been set for all other employees in the system and is not so manifestly unfair as to prejudice the nurses in this association. I therefore recommend that the mileage reimbursement schedule fixed by the county be continued.



Fact Finder

Southfield, Michigan

May 12, 1970