

1343

IN THE MATTER OF FACT FINDING BETWEEN )

CITY OF LANSING )

AND )

LANSING FIRE FIGHTERS ASS'N. )

LOCAL 421, AFL-CIO )

FF 6/17/68  
74

REPORT

AND

RECOMMENDATIONS

MICHIGAN STATE BOARD  
LABOR RELATIONS LIBRARY

The undersigned, Charles M. Rehmus, was appointed Fact Finding Hearings Officer by the Labor Mediation Board of the State of Michigan on May 20, 1968, under authority of Section 25 of Act 176 of Public Acts of 1939, as amended, to issue a report and recommendations to the above-listed parties with respect to matters in disagreement between them over terms of the salary and fringe benefits for firemen in the City of Lansing.

Fact finding hearings were held with the parties on May 27 and June 13, 1968. Appearing for the City of Lansing were:

Thomas N. Braxton, Labor Relations Supervisor  
Collins E. Thornton, Executive Assistant to the Mayor  
Gene B. Pangle, Personnel Technician

Appearing for the Association were:

Gary L. Thomas, President Local 421  
Victor Rairigh, Vice President, Local 421  
Rolland Case, Mediation Board Member  
Clifton Clevenger, Mediation Board Member

Rehmus, Charles M.

*J. Lansing, City of*

Page 2

At the Hearings, the Fire Fighters Association presented extended testimony and exhibits to justify their request for a substantial increase in salaries. They also presented justifications for some dozen improved or new fringe benefits to which they believe they are entitled.

City representatives announced that they were participating in the Fact Finding Hearings under protest.

They stated that they believed that negotiations had not reached an impasse and that fact finding was not timely. They believe the dispute might yet be resolved over the collective bargaining table if the Fire Fighters would return to negotiations. City representatives did make a presentation on the progress, or lack thereof, of negotiations thus far this year and on the general level of wage increases prevailing nationally and in the Lansing area. On the subject of fringes, City representatives refused to make any presentation other than to state the offers they had made on several of the fringes during collective bargaining. They also stated that more might be done on fringes if the Association would return to collective bargaining.

Representatives of the City refused to negotiate in the presence of the Fact Finding Hearings Officer, or to

negotiate with the Association in his absence on the days on which fact finding hearings were scheduled.

Under the above circumstances, the position of a Fact Finding Hearings Officer is a difficult one. With regard to some of the issues in dispute, any recommendations made would of necessity have to be ex parte in character. Nevertheless, the Fact Finding Hearings Officer is persuaded that to allow a party, by refusing to make a presentation, to prevent fact finding hearings from proceeding would be to frustrate the purposes of the legislative system for dispute resolution established in the State of Michigan. The State Labor Mediation Board has determined that an impasse has been reached in this situation and that fact finding is now appropriate. Enough evidence is in the record on each issue to justify a basis for judgment. The following recommendations are therefore made with the hope that they will provide the parties with a basis for a negotiated settlement of this dispute.

#### Background of the Wage Issue

The position of the Lansing Fire Fighters Association with regard to wages is fundamentally premised on what it feels has been a steady retrogression of the relative position

of fire fighters' wages in the city. They feel this is true whether they are compared to the salaries of firemen in other Michigan cities or to other employees of the City of Lansing. In support of this position, it cites the following types of data:

- a. While Lansing is the fifth largest city in the state, the salary of a full-paid fireman (a fireman who has achieved the maximum progression in the standard fire fighters rank) is 45th in the state.
- b. In 1962, the salaries of firemen in a group of 14 Michigan cities selected by the City of Lansing, as appropriate for comparison with Lansing, averaged \$5500.00. At that time, Lansing firemen ranked third in this group of 14 cities and were \$376.00 per year higher than the average. In the years between 1962 and 1968, the wage increases granted to Lansing firemen increased only 25 percent, 15 percent below the average of the increases granted in the 14 cities. By 1968, Lansing firemens' salaries had fallen \$343.00 per year below the average for the whole group of 14 cities.

c. Several years ago, a state-appointed fact finder recommended parity in the pay scales between the policemen and firemen in the City of Lansing.

While this proposal was not acceptable to the voters of Lansing, the Fire Fighters Association believes that in the light of this recommendation existing differentials between police and firemen certainly should not be increased. However, in the years between 1962 and 1968, the salaries of Lansing policemen increased by 33 percent while the salaries of firemen increased by only 25 percent.

The fire fighters believe that these and other data support their case for a substantial salary increase. They also contend that Lansing is in an unusually favorable financial position and that ability to pay is not a factor in the situation.

The present salary for a full paid fireman in the City of Lansing is \$7438.00 per year. The last salary proposal made by the Association to the City by letter of May 31, 1968, was for a salary for full-paid firemen of \$8545.00 per year, effective July 1, 1968. The Association also proposed that the starting salaries for beginning firemen and for the

Page 6

officer ranks among the fire fighters be increased by roughly similar or higher percentage amounts. The percentage increase proposed by the Association for full-paid firemen is 14.8 percent for the first year of a two year contract and for other ranks by amounts up to 19 percent.

The position of the City of Lansing with regard to the salaries of its firemen is that they are, at present, adequately paid when compared to the average of salaries paid to firemen in the Michigan Municipal League's Wage Area 2, the section of Michigan outside of the Detroit metropolitan area and south of a line drawn north of Bay City. In the eight cities over 50,000 in this area, the average salary for firemen is almost identical with the present salary for Lansing firemen. (These data are already out-of-date, however, as several cities have negotiated substantial increases for their firemen). The City also notes that it is having no difficulty, at the present time, obtaining qualified firemen applicants at its existing salary levels. It further contends that this is a period when salary increases should be non-inflationary in nature. Finally, the City notes that it has settled with other unionized city employees for wage increases

Page 7

averaging 8 percent in 1968 and 6 percent in 1969 for a two year contract.

While the City has not as yet made a similar offer in collective bargaining to its firemen, it is not an unreasonable assumption that it might be willing to do so. The City therefore concludes that it has been fair with its firemen in the past, that it is prepared to be so in the current negotiations, and that the Association's present proposals are totally unreasonable.

#### Recommendations with Respect to Salaries

It is apparent from the record that there has been some retrogression of the salaries of Lansing firemen vis-a-vis other Michigan cities. Full paid firemen in the City of Detroit receive \$10,300 annual salary effective July 1, 1968, and in other cities in the Detroit metropolitan area salaries for full-paid firemen are beginning to reach and exceed \$9,000.00 annually. Even in the larger cities in Michigan outside the Detroit metropolitan area, salaries are beginning to move substantially above the present salary of Lansing firemen. While it is difficult to say just what the average of larger Michigan cities will be for 1968, since many of them are presently in negotiations with their fire fighters, it is apparent that the average salary in

these larger cities outside of the Detroit metropolitan area will move close to \$8,000.00. The present offer which the city has on the collective bargaining table for its full-paid firemen, \$7798, does not appear to maintain the city's traditional position vis-a-vis other comparable cities or even to reflect the increases which Lansing has presently offered to other groups of employees.

In light of the whole record, it is recommended that the salary for a full-paid fireman in the City of Lansing, beginning July 1, 1968, should be \$8100.00 per year. The salaries for starting firemen and for other ranks should be adjusted by an appropriate percentage amount.<sup>1</sup> This recommended increase approximates 9 percent. While this is substantially less than requested by the Fire Fighters Association, it is nonetheless an increase higher than the City may have intended to make in the process of collective bargaining.

As a condition of such a substantial percentage increase and of the fringe benefits that will be recommended, the City is entitled to receive what it has continually sought throughout the negotiations, a two year contract. The wage increase

---

1. The Fire Fighters Association represents one clerical employee. The increase for this employee should be simply that which has been given to other clerical employees of the city.

appropriate for the second year of the two year contract should be somewhat less in order to ameliorate the cost impact on the City. It is therefore recommended that the percentage increase for the second year of the contract should be in the range of six to seven percent.

Recommendations with Respect to Fringe Benefits

The Fire Fighters Association has requested a number of new fringe benefits or improvements in existing fringes. The following sections contain the full recommendations with respect to fringe benefits and the contract year in which it is recommended that they become effective. If there is no recommendation contained herein with regard to a requested fringe benefit, it is intended that the recommendation be that this request be dropped.

1. The city presently pays half of accumulated sick leave upon retirement of an employee. It is recommended that effective July 1, 1968, the city pay half of accumulated sick leave upon retirement or death of the employee.

2. Effective July 1, 1968, employees who are called back to duty during a scheduled day off should be compensated for a minimum of four hours at 1 1/2 times the employee's standard hourly rate.

3. Effective July 1, 1968, overtime pay, with a one hour minimum, should be paid to employees working beyond their normal duty hours. Such overtime pay should be compensated at 1 1/2 times the employee's standard hourly rate.

4. Effective July 1, 1968, a premium payment of \$15.00 is recommended for personnel who are ordered to be available for emergency weekend duty during an otherwise unscheduled weekend.

5. Those employees of the Fire Department who work regularly scheduled shifts between 7 p.m. and 8 a.m. - a small group of mechanics and dispatchers - work side-by-side and under the same pay base as many other hourly-rated city employees. It is recommended that such employees should receive the same shift premiums as other hourly-rated city personnel, effective July 1, 1968.

6. The city now pays \$20.00 per day to its firemen when they are scheduled to work on any one of seven specific holidays. Other city employees receive eight paid holidays. Effective July 1, 1969, firemen should receive payment for eight holidays. In addition, the present \$20.00 per day payment, which is not even


Page 11

equivalent to straight-time pay, should be increased by \$5.00 or \$10.00.

7. Due to the nature of firemen's work and the 24-hour working schedule, it is necessary that fire fighters buy food and prepare meals at the fire station. Thus a fire fighter incurs unusual expenses. At present, some 13 cities in Michigan currently pay their fire fighters a food allowance to compensate them for the fact that they cannot go home or out to eat. Effective July 1, 1969, it is recommended that Lansing fire fighters receive \$100.00 annually for food allowance as partial compensation for these expenses.

#### Conclusion

For various reasons, not entirely the fault of either side, collective bargaining has not operated effectively in this negotiation. The foregoing recommendations on salaries and fringe benefits are intended to set a general framework within which negotiations can move forward. If they are so approached by both sides they should provide the basis for an equitable settlement.



Charles M. Rehms  
Hearings Officer

June 17, 1968