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STATE OF MICHIGAN
MICHIGAN EMPLOYMENT RELATIONS COMMISSION
PUBLIC ACT 312 ARBITRATION

IN THE MATTER OF THE ARBITRATION OF

DELTA COUNTY SHERIFF,

Employer,

MERC Case No.
G82 H-1661

and

TEAMSTERS LOCAL #328 on behalf of
DELTA COUNTY SHERIFF'S DEPARTMENT,
ROAD PATROL, CORRECTION OFFICERS
and SERGEANT,

Union.

ARBITRATION DECISION AND AWARD

These proceedings were held on April 25, 1983 in the
Delta County Courthouse, Escanaba, Michigan.

Panel Members

John C. Emery, Jr., Chairman
David Schultz, (Sheriff designee)
Gary LaPlant, (Union designee)

Representatives

For the Sheriff, Ralph B.K. Peterson
For the Union, Howard Smale

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DETROIT OFFICE

Delta County 4

EXHIBITS, STIPULATION AND WITHDRAWALS

The contract between the parties was jointly submitted to the Panel and admitted. Nine (9) Employer exhibits and sixteen (16) Union exhibits were admitted.

The parties stipulated that except for the issues contained in the petition, all other issues had been satisfactorily adjusted, settled, compromised or waived by the parties, that the arbitration was limited to the unresolved issues listed in the petition as certified by the Commission and that the last best offers were the data contained in the petition, which were considered confirmed at the end of the hearing. No additional offers were submitted by either party.

FINDINGS OF FACT AND OPINION

Act 312 in Section 8 requires the submission of a last offer of settlement for each economic issue and requires the Panel to adopt the last offer which it decides "more nearly complies with the applicable factors prescribed in Section 9" of the Act.

There is no dispute as to the first factor to be considered the lawful authority of the employer.

The stipulations of the parties have been noted above.

The interests and welfare of the public and the financial ability of the writ of government to meet the costs were

considered. While the employer stressed at considerable length the uncertainties in the economic future of the County and its revenues due to business closings and changes, and the financial undesirability of wage and fringe benefit insurance, it would appear that Delta County is presently in sound financial condition due to able management by its present and past government officials and that accordingly the financial ability of the County to sustain wage increases presently exists. There is no question that the Sheriff's department is also ably managed and continues to improve considerably over past years, thereby contributing to the interests and the welfare of the public.

Comparisons of the wages, hours and conditions of employment of the employees involved in the proceeding with those of other employees performing similar services and with other employees generally in public employment in comparable communities were submitted by both parties, were considered by the Panel and will be noted in connection with the discussion of each issue. No evidence was submitted by either party with respect to employees in private employment in comparable communities other than to note current unemployment rates.

Evidence with respect to cost of living, or average consumers prices for goods and services was submitted by the parties and considered by the Panel.

Overall compensation presently received by the employees, including direct wage compensations, vacations, holidays, and

other excused time, insurance and pensions, medical and hospitalization benefits, the continuity and stability of employment and all other benefits received was contained in the evidence submitted and considered by the Panel.

Changes in the foregoing circumstances during the pendency of the proceedings were submitted to the Panel and considered.

Other normal and traditional factors were also considered.

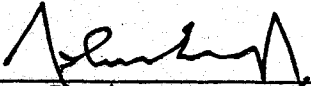
ISSUE #1


The Union requests the retention of the existing clothing allowance and increase by \$50.00 per year.

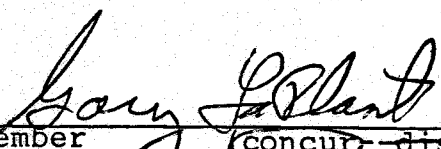
The Employer offers a uniform salvage system. Periodic inspection of worn or damaged items and a determination of and for replacement would be made by a supervising officer, followed by replacement.

DECISION

While the Employer's offer appears to constitute a sensible plan, the evidence does not support the change while the increased cost of living and comparable data from other law enforcement units supports the increase requested. Accordingly the Union's offer is accepted and the Employer's offer rejected.


Chairman


Member (concur - dissent)
608


Member (concur - dissent)

ISSUE #2

The Union requests an identical insurance package as with other County employees.

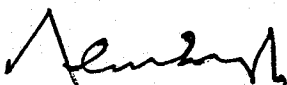
The Employer offers only identical dental and medical without cash or coverage option.

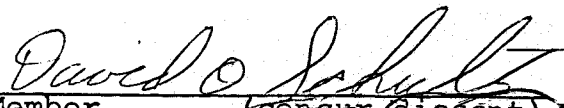
DECISION

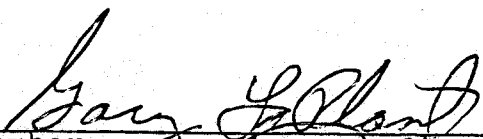
The Panel feels that the Sheriff's Department employees are basically entitled to the same fringe benefits as other Delta County employees.

Upon the basis of comparison with other Delta County employees, the Union offer is accepted and the offer of the employees rejected.

↓
7-11-83
D.L.


Chairman


Member (concur-dissent)
008


Member (concur-dissent)


ISSUE #3


The Union offers an additional one-half holiday.

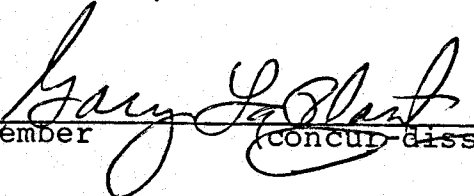
The Employer offers no change.

DECISION

On the basis of comparables, the offer of the Union is accepted and the offer of the Employer rejected.


Chairman


Member ~~(concur-dissent)~~
008


Member ~~(concur-dissent)~~

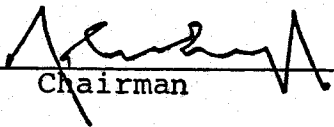
ISSUE #4

The Union offers one personal day.

The Employer offers no change.

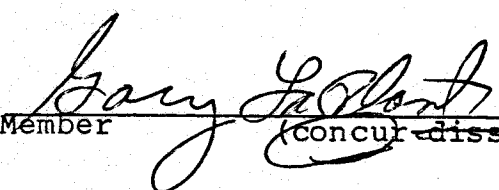
DECISION

Other Delta County employees have a personal day, which is a sufficient basis for acceptance of the Union offer. The Union offer accordingly is accepted and the offer of the Employer is rejected.


Chairman


Member

~~(concur-dissent)~~
003


Member

~~(concur-dissent)~~

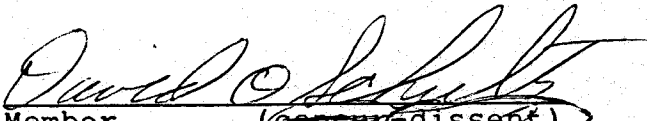
ISSUE #5


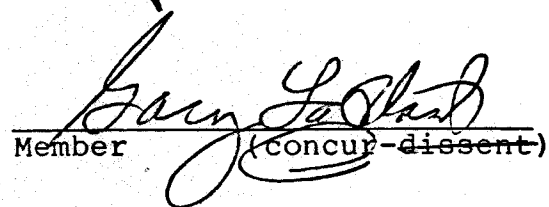
The Union offers to modify the vacation schedule to closely conform with other county employees.

The Employer offers no change.

DECISION

On the basis of comparables, particularly the other county employees and the belief that the fringe benefits should be the same, the offer of the Union is accepted and the offer of the Employer rejected.


Member (concur-dissent)
D.O.S.


Chairman

Member (concur-dissent)


ISSUE #6


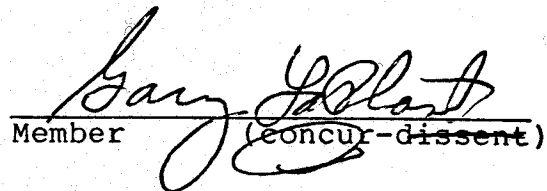
The Union offers the allowance of six (6) days vacation carry-over.

The Employer agrees.

DECISION

The offer of the Union, to which the Employer agrees, is accepted.


Member (concur-dissent)
008


Chairman

Member (concur-dissent)

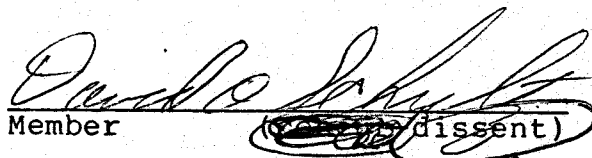
ISSUE #7

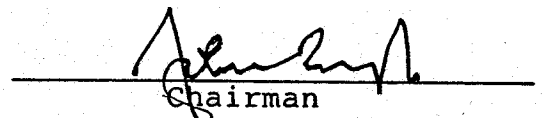
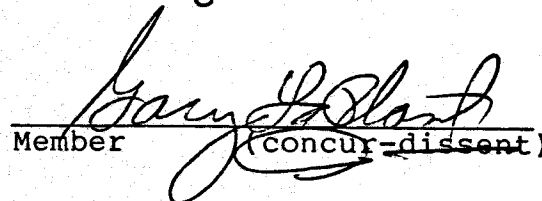
The Union offers a shift differential of 18¢ per hour.

The Employer offers no change.

DECISION

On the basis of comparables, such as Marquette County, Escanaba and Gladstone, the offer of the Union is accepted and the offer of the Employer is rejected.


Member ~~(concur-dissent)~~
008


Chairman

Member ~~(concur-dissent)~~

ISSUE #8


The Union offers wage increases of 40¢ per hour for the road patrol and 50¢ per hour for correction, with 6% above road patrol for sergeants and 9% above road patrol for senior sergeants.

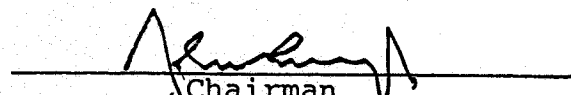
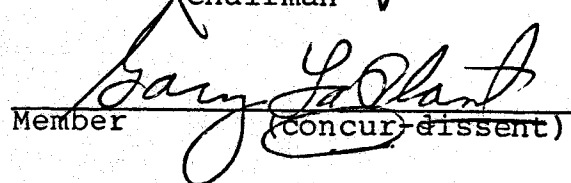
The Employer offers 24¢ per hour.

DECISION

Comparables from other law enforcement agencies support the Union offer, including wage rates for deputy positions in Marquette, Menominee, Houghton and Dickinson Counties, as set forth in Union Exhibits 3, 4 and 5, and Employer Exhibit 7 and in Escanaba and Gladstone as set forth in Union Exhibit 3. Union Exhibit #7 substantiates the Union's correction officer offer. The Panel finds that these communities are sufficiently comparable to Delta County so as to give sufficient support to the Union offer. The Panel believes that law enforcement personnel should receive substantially the same wages as in comparable communities, although other county wages have also been considered.

The offer of the Union is accepted and the offer of the Employer is rejected.


Member ~~(concur-dissent)~~
208


Chairman

Member ~~(concur-dissent)~~

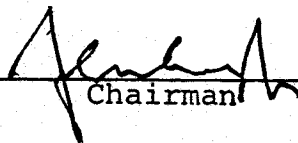
ISSUE #9


The Union offers longevity as follows: 3 through 6 years, \$100; 7 through 10 years, \$150; 11 through 15 years, \$200; 16 through 20 years, \$250; 21 years and over, \$300.

The comparables support the Union position. Delta County Courthouse employees have longevity and other comparable law enforcement agencies such as Escanaba, Gladstone, Ishpeming, Marquette and Marquette County have longevity, which appears to be the prevalent policy.

DECISION

Accordingly the offer of the Union is accepted and the offer of the Employer is rejected.


Chairman


Member ~~(concur-dissent)~~
008

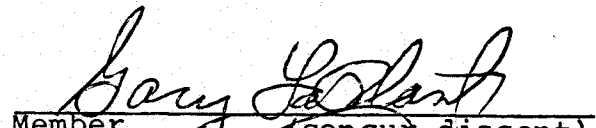

Member ~~(concur-dissent)~~

TABLE OF EXHIBITS

EMPLOYER

1. Statement of Position
2. Wage Survey of Selected Counties
3. County Revenues
4. County Appropriation Schedule
5. Sheriff's Department Wage and Fringe Benefits
6. County Employees 1982 Wages
7. Upper Peninsula Wages
8. Wage and Salary Survey for Alger, Luce, Mackinac and Chippewa Counties
9. Sheriff's Department proposal for Uniform Salvage System

TABLE OF EXHIBITS

UNION

1. United States Family Budget Statistics
2. State Equalized Valuation Figures
3. Area Police Schedule
4. Upper Peninsula Sheriff Department Wage Survey
5. Michigan Sheriff Pay Survey
6. City-County Governmental Wage Survey
7. Elected Officers Compensation
8. County Non-Union Salaries
9. Longevity Comparison
- 10., Vacation Schedule Comparison
11. Shift Premium Pay
12. Consumer Price Index
13. Compounding Effect of Premium Pay
14. Cost of Union Proposal
15. Fringe Survey
16. Health & Hospital Coverage