

STATE OF MICHIGAN
MICHIGAN EMPLOYMENT RELATIONS COMMISSION

BEFORE

A COMPULSORY ARBITRATION PANEL

PURSUANT TO PUBLIC ACT 312 OF 1969, AS AMENDED

COUNTY OF WAYNE and
THE WAYNE COUNTY SHERIFF,

Employers,

Act 312
MERC Case No: D86 K-2090

-and-

Dr. Bernard W. Klein
Impartial Chairman

SERGEANTS AND LIEUTENANTS,
LOCAL 3317, AFSCME,
AFL-CIO,

Lorenzo Blount, Esquire
Employer Delegate

Union.

Jamil Akhtar, Esquire
Union Delegate

TRANSMITTAL OF ARBITRATION AWARD

TO: David Tanzman, Chairman
Michigan Employment Relations Commission

FROM: Bernard W. Klein, Impartial Chairman

SUBJECT: Wayne County/AFSCME, LOCAL 3317, Arbitration
under Act 312.

On Thursday, August 13, 1987, the Panel in the above captioned matter issued its final Award (copy attached). Pursuant to a remand on June 1, 1987, the parties were able to narrow the issues and have called upon the Panel to issue an Award in only three (3) areas of the Contract. The three (3) outstanding areas were:

1. The effective date of the contract
2. Wages
3. Retroactivity of wages


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Enclosed please find a copy of the unanimous decision of the Panel in addition to a copy of the new Labor Agreement, which except as modified therein or ordered by the Panel is effective as of the first day of December, 1986 and shall run through November 30, 1990.

With the transmittal of the unanimous award and accompanying contract, the Panel concludes its deliberations and would request that the Employment Relations Commission adopts the Panels Order and permanently close the file on this matter.


Bernard W. Klein, Impartial
Chairman

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LOCAL 3317, AFSCME,
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_____ /

Act 312

MERC Case No: D86 K-2090

Dr. Bernard W. Klein
Impartial Chairman

Lorenzo Blount, Esquire
Employer Delegate

Jamil Akhtar, Esquire
Union Delegate

DECISION AND STIPULATED AWARD

These proceedings were commenced pursuant to the provisions of the Act entitled "Compulsory Arbitration of Labor Disputes, Policemen and Firemen," being Act 312 of the Public Acts of 1969 as amended, of the State of Michigan. This decision and award is made pursuant to the provisions of Act 312, as amended, and have been stipulated by and between the parties.

This decision and award is adopted as the decision and award of the Arbitration Panel hearing this matter.

PRELIMINARY STATEMENT

In these proceedings, the collective bargaining agreement expired on November 30, 1986. Following negotiations, the parties were unable to resolve all aspects

of their dispute, resulting in the Union petitioning the Michigan Employment Relations Commission (MERC) for arbitration pursuant to Act 312 of the Public Acts of 1969, as amended.

Thereafter, a pre-hearing conference was held on Monday, June 1, 1987 at the Michigan Employment Relations Commission's Detroit offices. At the conclusion of this conference the Arbitrator remanded the open issues to the parties for continuing negotiations.

The Panel hearing this matter consists of Chairman Bernard W. Klein; Lorenzo Blount, Esquire for the County and Jamil Akhtar, Esquire for the Union.

STATUTORY MANDATE

In accordance with the mandate of Act 312, Public Acts of 1969, as amended, the Arbitration Panel identified the issues in dispute between the parties.

The statute mandates that the Arbitration Panel shall adopt the position of the party which in the opinion of the Panel, most closely complies with the applicable factors prescribed in Section 9.

The mandate is contained in Act 312, Paragraph 423.239. Michigan Compiled Laws Annotated (Section 9), and it is upon this mandate and following these directives, that the Arbitration Panel must make its findings, opinions, and order. Those factors are the following:

- a) The lawful authority of the Employer.
- b) Stipulation of the parties.

- c) The interest and welfare of the public and the financial ability of the government to meet those costs.
- d) Comparison of wages, hours and conditions of employment of the employees involved in the arbitration proceedings with the wages, hours and conditions of employment of other employees performing similar services with other employees generally;
 - (i) in public employment in comparable communities,
 - (ii) in private employment in comparable communities.
- e) The average consumer prices for goods and services, commonly known as the cost of living.
- f) The overall compensation presently received by the employees, including direct wage compensation, vacations, holidays and other excused time, insurance and pension, medical and hospitalization benefits, the continuity and stability of employment, and all other benefits received.
- g) Changes in any of the foregoing circumstances during the pendency of the arbitration proceedings.
- h) Such other factors, not confined to the foregoing, which are normally or traditionally taken in to consideration in the determination of wages, hours and conditions of employment through voluntary collective bargaining, mediation, fact-finding, arbitration or otherwise between the parties, in the public service or private employment.

AWARD AND ORDERS OF ARBITRATION PANEL

The Panel carefully considered the criteria of Act 312 and all evidence entered on the record by the parties. At this point in the proceedings, the parties each submitted last best offers which were identical with the exception of three issues. These issues were Wages, Retroactivity of Wages, and the effective date of the new Promotional Procedure.

ORDERS

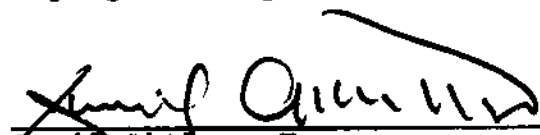
1. It is hereby ordered by the unanimous Panel that the last best offers of both parties, with the exception of the three issues in dispute, be adopted as the Collective Bargaining Agreement between the parties. This contract shall be effective commencing on December 1, 1986 through November 30, 1990.

2. It is hereby ordered by the Panel that the last best offer of the Union as to Wages, and the effective date of the Promotional Procedure, be adopted and incorporated into the Collective Bargaining Agreement between the parties. (See Appendix)

3. It is hereby ordered by the Panel that the last best offer of the County as to the Retroactivity of Wages, be adopted and incorporated into the Collective Bargaining Agreement between the parties. (See Appendix)


Dr. Bernard W. Klein
Impartial Chairman


Lorenzo A. Blount, Esq.
Employer Delegate


Jamil Akthar, Esq.
Union Delegate

Dated: August 13, 1987

APPENDIX
ISSUES IN DISPUTES

<u>ISSUE</u>		<u>UNION</u>				<u>COUNTY</u>			
		<u>1/88</u>	<u>1/89</u>	<u>7/1/89**</u>	<u>1/90</u>		<u>1988</u>	<u>1989</u>	<u>1990</u>
Wages	* 5%	Step	Step	Step	Step	Step	Step	Step	Step
Retroactivity of Wages			12/01/86				* 08/01/87		
Effective Date of Promotional Procedure			* 12/01/87				12/01/86		

* Indicates position adopted by the Panel

** Increase for bargaining unit members below Step 7 of their respective CGSP Grade only.

Note: Step is defined as one (1) increment on the County Graded Salary Plan.

SERGEANTS

<u>CURRENT</u>	<u>08/01/87</u>	<u>01/01/88</u>	<u>01/01/89</u>	<u>07/01/89</u>	<u>01/01/90</u>
29,330	30,800	32,145	33,490	34,835	36,180
30,610	32,145	33,490	34,835	36,180	37,525
31,890	33,490	34,835	36,180	37,525	38,870
33,170	34,835	36,180	37,525	38,870	40,215
34,450	36,180	37,525	38,870	40,215	41,580
35,730	37,525	38,870	40,215	---	41,580

LIEUTENANTS

<u>CURRENT</u>	<u>08/01/87</u>	<u>01/01/88</u>	<u>01/01/89</u>	<u>07/01/89</u>	<u>01/01/90</u>
32,270	33,880	35,360	36,840	38,320	39,800
33,680	35,360	36,840	38,320	39,800	41,280
35,090	36,840	38,320	39,800	41,280	42,760
36,500	38,320	39,800	41,280	42,760	44,240
37,910	39,800	41,280	42,760	44,240	45,740
39,320	41,280	42,760	44,240	---	45,740
40,730	42,760	44,240	45,740	---	---