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STATE OF MICHIGAN
DEPARTMENT OF LABOR
MICHIGAN EMPLOYMENT RELATIONS COMMISSION

ACT 312 COMPULSORY ARBITRATION PANEL

In the matter of:

CITY OF ROMULUS

and

MERC No.: D84-2118

MICHIGAN FRATERNAL ORDER OF POLICE,
LABOR COUNCIL

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Panel:

Gerald E. Granadier, Chairman of the Panel
Marilyn Radford, City Delegate
Michael P. Somero, Police Delegate

DECISION AND AWARD

These proceedings were commenced pursuant to the provisions of the Act entitled "COMPULSORY ARBITRATION OF LABOR DISPUTES, POLICE-MEN AND FIREMAN:", being Act 312 of the Public Acts of 1969, as amended, of the State of Michigan. This Decision and Award are made and entered pursuant to the provisions of said Act 312, as amended.

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This Decision and Award is adopted as the Decision and Award of the Arbitration Panel hearing this matter by those members who affix their signatures hereto at the end of this Decision and Award.

STATUTORY MANDATE

MCLA 423.238 provides that "the arbitration panel shall identify the economic issues in dispute, and direct each of the parties to

submit to the arbitration panel and to each other its last offer of settlement on each economic issue. The determination of the arbitration panel as to the issues in dispute and as to which of these issues are economic shall be conclusive as to each economic issue the arbitration panel shall adopt the last offer of settlement which, in the opinion of the arbitration panel, more nearly complies with the applicable factors prescribed in section 9. The findings, opinions and order as to all other issues shall be based upon the applicable factors proscribed in section 9."

MCLA 423.239 provides the factors upon which the arbitration panel shall base its findings, opinions and order. Those factors are as follows:

"(a) The lawful authority of the employer.

(b) Stipulations of the parties.

(c) The interests and welfare of the public and the financial ability of the unit of government to meet those costs.

(d) Comparison of the wages, hours and conditions of the employees involved in the arbitration proceeding with the wages, hours and conditions of employment of other employees performing similar services and 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 pensions, 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 into 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 in private employment."

PRELIMINARY STATEMENT

It appears from the record that the parties commenced bargaining, proceeded to mediation conducted on July 24, 1984, and thereafter the Michigan Fraternal Order of Police, Labor Council requested Arbitration under Act 312 which was received by the Michigan Employment Relations Commission on July 27, 1984.

Notice of appointment as Chairman of the Panel of Arbitrators was made by letter dated August 16, 1984. The Chairman then contacted the parties to schedule a Pre-Arbitration Conference. The first date so scheduled was September 5, 1984, this date was unacceptable to all parties and subsequent dates were proposed. The parties agreed to hold the meeting on October 3, 1984. Prior to that date the Chairman was informed that the parties were engaging in additional collective bargaining and would advise the Chairman if and when the Arbitration would proceed. The Chairman was then advised that the parties had reached a tentative agreement with a union ratification meeting scheduled for October 18, 1984. The tentative agreement was not ratified by the union. Accordingly the Chairman scheduled the Pre-Arbitration Conference which was held on November 19, 1984 to set the parameters of the matters in dispute,

schedule pre-hearing conferences, agendas, rules of procedure and other matters. At this meeting it was determined that the issues and sub-issues which were unresolved in bargaining and mediation and which the parties intended to submit to arbitration arose out of the wage re-opener in the Labor Agreement. The Chairman indicated that he would consider, if the parties so desired, to attempt to assist the parties to resolve the issues unresolved and outstanding. The parties indicated that they desired the Chairman's assistance, but would, in any event, prepare for the formal hearing and submit, prior to that date, exhibits for the Chairman to examine and study. The Chairman received those exhibits on or about December 12, 1984. It was agreed that formal Arbitration hearings would be held on December 18 and December 19, 1984 and those days were so reserved and set aside for same by the Arbitration panel and the parties. The parties through diligent efforts and extreme devotion to the principles of negotiated collective bargaining were able to resolve the issues at the Arbitration Hearing on December 18, 1984. Thereupon the formal hearing was opened, statements were made upon the record and the award entered therein.

AWARD

Based upon a full and careful review of the record and stipulations of the parties, the panel unanimously makes the following award:

1. All provisions hereinafter set forth are retroactive to July 1, 1984.

2. Patrol Officers Salaries:

7/1/84 to 6/30/85

Starting rate:	\$17,500.00
After first year:	\$20,685.00
After second year:	\$22,050.00
After third year:	\$23,152.00

3. Patrol Officers Salaries:

7/1/85 to 6/30/86

Starting rate:	\$18,500.00
After first year:	\$22,132.00
After second year:	\$23,593.00
After third year:	\$25,630.00

4. Dispatchers Salaries

7/1/84 to 6/30/86

No increase in salaries over amount paid currently.

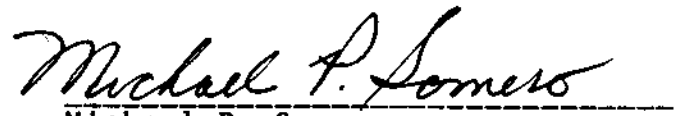
CONCLUSION

During these negotiations and proceedings, the Chairman was greatly aided and impressed with advocacy and counsel of Mr. Ronald E. Mack for the City and Mr. Jerome Sabbota for the Union.

The Panel hereby awards the foregoing provisions and adopts this statement as its complete award. The Arbitration Panel retains no further jurisdiction.


Gerald E. Granadier, Chairman


Marilyn Radford
City of Romulus, Delegate


Michael P. Somero
Fraternal Order of Police, Labor
Council, Delegate

Dated: January 30, 1985