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**Stipulated Award  
In the Act 312 Proceeding  
Between**

**The City of Zeeland**

**And**

**Police Officers Labor Council**

**L 02 A-8011**

**Act 312 Chair  
C. Keith Groty, Ph.D.**

**Employer Representative  
Peter H Peterson, Attorney**

**Union Representative  
Mark P. Douma, Attorney**

### Background

Dr. C. Keith Groty was appointed by the Michigan Employment Relations Commission September 16, 2003 to serve as Chairperson of an Act 312 proceeding involving the City of Zeeland, Michigan and the Police Officers Labor Council. On October 22, 2003 a pre-hearing conference was held. At the conference, Mr. Peter A Kok represented the Employer, and Mr. Fred LaMaire the Union. It was agreed to hold a hearing in the above referenced matter on February 5, 2004. The unresolved issues were the union wage proposals to be effective July 1, 2002, 2003 and 2004, the pension proposal reducing the age of eligibility and increasing the multiplier. The panel delegates are Peter Kok for the employer and Fred LaMaire for the union. Before the opening of the hearing on February 5, 2004, the parties met without the arbitrator present and reached a stipulated agreement.

The stipulated award follows:

1. All provisions of the 1999-2002 collective bargaining agreement shall be continued unchanged except as modified in this Award.
2. Modify the collective bargaining agreement as necessary to reflect a new term of July 1, 2002 through June 30, 2005.
3. Modify Schedule A to reflect the following wage increases:
  - a. Effective July 1, 2002: 3.0%
  - b. Effective July 1, 2003: 3.0%
  - c. Effective July 1, 2004: 3.0%

Retroactive wages shall be paid only to those employees on the City's payroll on the date of the issuance of this Award.

4. Add the following paragraph to Article XII, Section 6:

As soon as practicable following the issuance of the Act 312 Award, the Employer and the Union shall obtain a report from the Employer's actuaries showing the cost of improving the pension plan by reducing the normal retirement age from 58 to 55 for bargaining unit employees. The Employer and the Union shall split equally the expense of obtaining the report. After the report is issued by the actuaries, the Union shall notify the Employer in writing within 21 calendar days whether the Union wishes to improve the pension plan as described above. If the Union timely decides to improve the pension plan as described above, then effective July 1, 2004 (or if not practicable by that date, as soon thereafter as is practicable), the Employer shall implement the improvement and the parties shall split equally the actuarial cost of the improvement with the employees paying their 50% share through paycheck deduction. If the Union decides not to improve the pension plan as described above, or does not notify the Employer in writing of a decision within the specified time limit, the pension plan shall remain unchanged.

5. Add the following paragraph to Article VII:

The classification of Senior Patrol Officer shall be deleted upon the filling of a Corporal position within the bargaining unit. The Corporal classification shall be paid \$1.10 per hour more than the top Police Officer rate. The Chief of Police shall issue a job description for the Corporal position within 30 days after the issuance of the Act 312 Award. The Corporal position shall then be posted. The individual selected for

the Corporal position must complete a six-month probationary period. If the individual is unsuccessful in the Corporal position and does not complete the probationary period, the individual shall <sup>be</sup> <sup>ed</sup> return to Police Officer status and the Corporal position shall be re-posted.

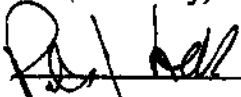
6. Add the following Section 6 to Article IX:

Section 6. Shift Bidding. All shifts will be open for bidding on the basis of seniority four times per year (March 1, June 1, September 1, and December 1). Employees desiring a change in shift assignment must make a written request for shift change to the Chief of Police at least 14 calendar days prior to the bidding date. Shift change requests will be honored by the City unless doing so would leave the City without proper coverage. Shift changes will become effective as soon as practicable after each bidding date. The city reserves the right to make any shift changes it deems necessary and appropriate.

March 5, 2004

  
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C. Keith Groty, Ph.D., Chairperson

  
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Peter Kok, Esq., Employer Representative

  
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Fred LaMaire, Union Representative