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1/8/82 ARB
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~~APR 1 1982~~

In the Matter of
The Arbitration Under Act 312
Public Acts of 1969
As Amended

Bay County Board of Commissioners and Sheriff of Bay County

and

Police Officers Association of Michigan, Bay County
Deputy Sheriffs Association

Case # D81 - A - 5

Michigan State University
LABOR AND INDUSTRIAL
RELATIONS LIBRARY

Herbert V. Rollins, Panel Chairman
Carl Parsell, Panel Member
Gary Majeske, Panel Member

Representatives

For Bay County Board of Commissioners etal,
Herbert Hutchins, Attorney

For Police Officers Association of Michigan etal,
Fred Timpner, Business Agent

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BACKGROUND

These proceedings were initiated by a Petition For Arbitration filed by the union. The petition states the issue as follows:

"Issue: Wages
Union: Effective 1/1/81 15% across the board
Employer: No wage increase for all classifications"

At the pre-hearing conference it was stipulated that the issues pertain only to two classifications, viz:

Dispatchers (Contract Jt. Ex. No. 1)

Deputies (below rank of Lieutenant) (Contract Jt. Ex. No. 2)

It was further stipulated that the clerical help were not covered under Act 312 and were not included in these proceedings.

During the course of two days of hearings, the parties submitted a total of 27 exhibits.

Bay County contains an area of 440 square miles. They are 33 deputies assigned to the road patrol, with three shifts of 8 to 10 deputies. Because of the limited man power they perform react services only and render no crime preventive services. Some act as correctional facility officers at the jail. As is prevalent in most areas of Michigan, the crime rate in Bay County is up and the number of deputies in the Sheriff's department is down.

The dispatchers handle the radio facilities to the police cars and ambulances. They do no road work.

All the unit members receive prepaid life insurance, health insurance, sick and accident insurance, line of duty disability, annual physical examinations, liability insurance, educational travel expenses, shift premiums and a retirement program. The deputies also have a longevity program, gun allowance, and uniform allowance.

LAST BEST OFFERS

Subsequent to the close of the hearings each party submitted its last best offer. The county filed a brief, the Association did not.

The Association's last offer ("Union's Final Offer of Settlement") for the deputies was:

".....5% across the board increase for all ranks and classifications retroactive to January 1, 1981, and an additional 5% across the board increase for all ranks and classifications retroactive to July 1, 1981"

The Association's last offer (Union's Final Offer of Settlement) for the dispatchers was:

".....5% across the board increase for all steps retroactive to January 1, 1981 and an additional 5% across the board increase for all steps retroactive to July 1, 1981"

The County's last offer states:

"Our last offer for the POAM -v- Sheriffs' Department is -0-."

"Our last offer for the Dispatchers -v- Bay County is -0-."

EXHIBITS

The union's exhibits, in addition to various other positions showed that

Bay County is 5th in population compared to 8 comparable counties.

Police officers average wages in similar areas have risen in 4 years from \$14,000 to \$18,500.

Bay County's tax receipts are 5th highest in comparison to 9 other comparable counties.

The deputies' present salaries are 4th highest on the list of 9 comparable (before pension contributions).

The CPI index has increased at a higher percentage than the wages paid deputies.

The County's exhibits show that

Bay County's retirement plan (where the county pays 100% of the cost) is superior to 4 comparable counties and 2 other communities within the county (where the deputies are dispatched).

The county's last offer would maintain the deputies at third highest among 11 other counties as of 1/1/81 and fourth highest as of 12/31/81.

The dispatchers as of 1/1/81 would be 5th out of 9 counties and on 12/31/81 they would remain at 5th.

Because of decreased revenue the county has been forced to reduce the number of employees by 31.

While the county's revenue is decreasing and employees are being laid off the raises requested in these proceedings would cost in excess of \$190,000 for 1981.

The present wages of the dispatchers are fairly close to those paid in Lapeer and Jackson counties.

AWARD

Obviously the preceding contains only a miniscule amount of the evidence introduced by exhibits and testimony during two days of hearing. I have studied all of the exhibits (many of them very complex), and my notes, and find the following:

1. The deputies, under the present salary scale, rank among the top 25% of 12 comparable counties, and the dispatchers rank about the middle out of 9 counties.
2. The county will experience a fund balance deficit of \$434,361 and a net unfavorable budget of \$532,964. By further cuts in expenses, including layoffs, the deficit in 1982 will be reduced to zero.
3. There are no funds with which to meet increased salaries for the petitioners other than by further layoffs or cuts in other salaries.
4. No other county bargaining unit has received a pay raise for the year 1981.
5. The dispatchers, considering other benefits, have an overall contract equal to those in other counties that do solely dispatchers work.

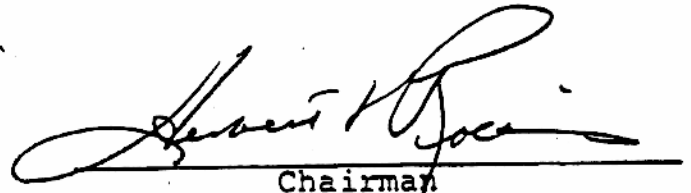
The fiscal picture of Bay County is depressing and the forecast is that it will become even progressively worse. The public, for whatever the reasons, refuses to countenance any tax increases, and the state and federal government, instead of picking up part of the slack as in the past, are cutting back support in drastic and dangerous degrees.

No one can seriously argue that these petitioning public servants, (deputies), who each day put their lives on the line, should

be denied a raise to merely keep up with inflation. But it is also apparent to me that the county, in 1981, is in a deficit position and has no place to obtain funds for raises, other than to take funds from other county employees, who, themselves, are not receiving raises. This I would not recommend, since such a chain of events would be chaotic and lead to crippling this county's government to even more dangerous depths.

From what I have seen in the way of hard evidence, the county's poor fiscal condition leaves the Chairman with no leeway to provide help for the petitioners who justly deserve and need it. Faced with this inability to pay for raises, the record does not substantiate an award in favor of the association. Therefore, I order that the offers of the county be chosen, and that the 1981 contracts for the Sheriff's deputies and Dispatchers not contain any raises.

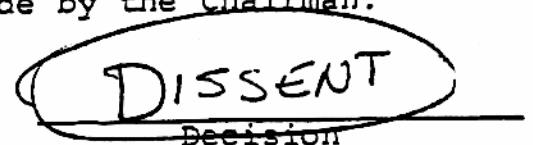
Should a similar proceeding be required for the next contract, I ask that this award be made available to that panel so that they will be made aware that this chairman stated, on the record, that the deputies were deserving of a raise, but that funds to pay the same were not available. Efforts should be made in the next contract to overcome this loss.


Chairman

The other members of the panel will sign below and enter their concurrence or dissent only as to the final order. By doing so, they are not commenting on the remarks made by the Chairman.


Panel Member

Panel Member


Decision

Decision

Dated: January 8, 1982.

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