

40

STATE OF MICHIGAN
MICHIGAN EMPLOYMENT RELATIONS COMMISSION
ACT 312 ARBITRATION

In the Matter between:

LAPEER COUNTY SHERIFF DEPARTMENT

Case No. D94 G-1627 (Unit A)
No. D94 G-1618 (Unit B)

-and-

POLICE OFFICER LABOR COUNCIL

Chair: Elaine Frost
Issued: June 18, 1997

Panel: Elaine Frost, Impartial Chair
Howard Shifman, Employer Delegate
Richard Ziegler, Union Delegate

Representatives:

For the Employer: Howard L. Shifman, Attorney
For the Union: John A. Lyons, Attorney

Appearances:

For the Employer: Craig Horton, Finance Officer
Richard Blonde, County Commissioner
Ron Kalanquin, Sheriff
Arthur DeVriendt, Undersheriff

For the Union: Jerry R. Cypert, Jr., Deputy (Unit B)
Robert DeTavernier, Deputy (Unit B)
Andy Engster, Deputy (Unit A)
Jim Preisel, Corrections (Unit B)
Det/Sgt Phillip Thick (Unit A)

Called by the Union:

Nancy Ciccone, Labor Research Analyst
Robert Gottschalk, Sergeant (Unit A)

Called by the Employer:

Oscar William Rye, Management Consultant
John Biscoe, County Administrator/Controller

INTRODUCTION

This matter was referred by the Michigan Employment Relations Commission pursuant to Public Act 312 of 1969, as amended, ("the Act"), and the undersigned was appointed as the impartial arbitrator and

FILED
JUL 16 1997
CLERK OF COURT

97 JUL 16 PM 1:01

RECEIVED

chairperson. The Lapeer County Sheriff Department, Lapeer County Board of Commissioners ("Employer," "County" or "Lapeer"), and the Police Officer Labor Council ("Union" or "POLC"), seek to complete their 1994-1996 Agreement by resolving a wage reopener for the second and third contract years.¹ Hearings were conducted at the Lapeer County Building on August 7, 1996.² The parties subsequently submitted post-hearing briefs and an executive session was held on February 13, 1997.

The issues before the 312 panel are:

1. First Year Wages (1/1/95 to 12/31/95)-Economic
2. Second Year Wages (1/1/96 to 12/31/96)-Economic

As to each economic issue, Section 8 of the Act (MCLA 423.238) directs the 312 Panel to "adopt the last offer of settlement" ("Last Best Offer" or "LBO") which, in the opinion of the Act 312 Panel, more nearly complies with the applicable factors prescribed in Section 9."³ Among

¹ MERC Case No. D94 G-1627 covers Lieutenants, Detective Lieutenants, Sergeants and Detective Sergeants (Unit A) and Case No. D94 G-1618 covers Deputies, Corrections Officers, Dispatchers and Clerks (Unit B).

² A pre-hearing conference was held on February 12, 1996.

³ Section 9 (MCLA 423.239) provides:

Where there is no agreement between the parties, or where there is an agreement but the parties have begun negotiations or discussions looking to a new agreement or amendment of the existing agreement, and wage rates or other conditions of employment under the proposed new or amended agreement are in dispute, the arbitration panel shall base its findings, opinions and order upon the following factors, as applicable:

- (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 employment 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. (MCLA 423.239).

the Section 9 factors,⁴ the following are pertinent to resolution of the issues before the Panel:⁵

- (c) The interests and welfare of the public...⁶
- (d) Comparison of the wages, hours and conditions of employment of the employees... performing similar services and with other employees generally ... in comparable [public] communities.
- (e) cost of living.
- (f) The overall... 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.
- (h) Such other factors... which are normally or traditionally taken into consideration in... voluntary collective bargaining...

COMPARABILITY

The parties stipulated prior to the hearing that the following communities are comparable to Lapeer:⁷

⁴ In City of Detroit v. DPOA, 408 Mich 410; 294 NW2d 68, 97 (1980), the Michigan Supreme Court explained: "The legislature has neither expressly nor implicitly evidenced any intention in Act 312 that each factor in Section 9 be accorded equal weight. Instead, the Legislature has made their treatment, where applicable, mandatory on the panel through the use of the word 'shall' in Section 8 and 9. In effect, then, the Sec. 9 factors provide a compulsory checklist to ensure that the arbitrators render an award only after taking into consideration those factors deemed relevant by the Legislature and codified in Sec. 9. Since Sec. 9 factors are not intrinsically weighted, they cannot of themselves provide the arbiters with an answer. It is the panel which must make the difficult decision of determining which particular factors are most important in resolving a contested issue under the singular facts of a case, although, of course, all "applicable" factors must be considered."

⁵ Factors not pertinent are "(a) The lawful authority of the employer," since the parties raised no question as to that authority nor was any otherwise apparent. Subsection (b) "Stipulations of the parties," are important to partially resolve the matter of comparables and to set forth jurisdictional agreements and to identify certain tentative agreements earlier reached by the parties. Otherwise, however, the stipulations are not important to deciding between the competing LBOs on wages. Further, the stipulated comparable communities all involve public employment, so 9(d)(ii) "In private employment in comparable communities" is not pertinent. It is also noted that there were no proofs on Subsection (g) "Changes in any of the foregoing circumstances during the pendency of the arbitration proceedings," and therefore none are addressed.

⁶ Section 9(c) includes the phrase "and the financial ability of the unit of government to meet those costs." In this case the Employer did not advance an ability to pay (more accurately an "inability to pay") argument. Thus, it did not claim it was financially incapable of paying the Union's economic demands in each contract year in question.

The Employer does, however, present arguments based on financial considerations which it claims justify adoption of its LBOs over those of the Union. Considerations of the fairness and financial appropriateness of the competing positions on economic issues are evaluated under a combination of Section 9 factors, namely 9(c), 9(d) and 9(h).

⁷ These other stipulations were also entered at the start of the hearing:

1. Timeliness - statutory time limits are waived to the extent consistent with the dates and schedules set forth in the Hearing Report, dated January 12, 1996.
2. The Panel has Jurisdiction to hear all issues placed before it.

- 1) Clinton County
- 2) Eaton County
- 3) Ionia County
- 4) Isabella County
- 5) Lenawee County
- 6) Montcalm County

After the close of proofs, the Employer agreed to add Barry County, one of the comparables supported by the Union; so it is added to the list based on mutual recognition. The parties continue to disagree, however, as to four other possible comparables: St. Joseph and Van Buren County (Employer proposed), and Bay County and City of Lapeer (Union proposed).

Based on factors of similarity of governmental structure, population and its density, state equalized valuation ("SEV"), millage rate, property taxes, and the like, the Employer supports addition of Van Buren County ("Van Buren") and St. Joseph County ("St. Joseph") to the list of comparables. It continues that in virtually every criteria, St. Joseph and Van Buren are more comparable to Lapeer than are the stipulated comparables.

In opposition to the inclusion of Van Buren and St. Joseph, the Union maintains that they fail as comparables because they fail to be "geographical proximate." The Employer counters that the six stipulated counties are not next door to Lapeer and some are not far from Van Buren or St. Joseph. (The Union-proposed Barry County, it points out, is geographically close to Van Buren, which in turn is a direct neighboring county to St. Joseph). Moreover, St. Joseph and Van Buren Counties were

4. Duration of contract is 1994-1996; This proceeding is a Wage Re-opener which applies to the second and third contract years. (starting January 1, 1995 and January 1, 1996).

5. The parties agree to combine cases Case No. D94 G-1618 (Patrol) and Case No. D94 G-1627 (Command) for hearing.

6. Individuals in the bargaining unit who have retired after 1/1/95 will be eligible for retroactive pay in these proceedings. (These retirees are Deputy Strong and Deputy Cross).

7. Individuals who leave their employment for any other reasons such as voluntary quit, discharge, etc., will not be eligible for any retroactive pay under the Act 312 Arbitration award.

within the 50% criteria that the Union used to construct its list of comparables,⁸ but were excluded based solely on geographic proximity. Also, the Employer argues, Lapeer and St. Joseph Counties were stipulated comparables in the Act 312 proceeding in 1993 where the POLC represented Sheriff's Department employees in Van Buren County.

In addition to the seven comparable communities based on mutual recognition, the Union proposes to add Bay County and City of Lapeer. Bay County, it argues, falls within the Union's 50% of Lapeer range, and so it is objectively comparable. The Union proposes the City of Lapeer as a "secondary comparable," because of the unique working relationship between it and the County. Thus, there was testimony about the interrelated systems of dispatch, backup and other activities revealing close cooperation between the Lapeer Sheriff's Department and the City of Lapeer Police Department.

The Employer opposes Bay County because it has the highest millage rate, highest population and population density, highest property taxes collected, and highest industrial component of SEV, among other things. Hence its demographic criteria are so dissimilar to Lapeer that Bay County should not be used.

The Employer opposes Lapeer City because its different governmental structure transgresses the Union's and County's selection criteria for comparables; because the City and County are demographically very

⁸ The Union generated a list of communities in Lower Michigan that maintained a population and state equalized valuation ("SEV") that fell within a 50% range of that of Lapeer County. This list was then narrowed by eliminating departments other than counties, and all counties in northern and western Michigan to insure geographical proximity.

different; and because the two entities are financed differently.⁹ Further, services demanded of City and County are different: only the County operates a jail, County programs and courts; it alone provides countywide police services and contracts services to seven or eight other communities. Moreover, the County dispatches for other communities as well as Lapeer City, it acts as back up for them all, and it handles prisoners from throughout the County.

Charted below is data pertinent to the agreed to comparables and the disputed comparables:

COUNTY	1994 POPULATION	1995 SEV	SEV/CAPITA	1994 TAX RATE	1994 TOTAL PROPERTY TAXES	POPULATION DENSITY
Barry	50,057	\$ 874,154,278	\$17,463	6.58	\$ 5,353,958	90.0
Clinton	57,883	1,037,330,988	17,921	6.04	5,807,452	101.3
Eaton	92,879	1,725,049,695	18,573	7.51	12,139,060	161.1
Ionia	57,672	722,840,800	12,676	6.33	4,154,830	99.5
Isabella	54,624	716,325,930	13,114	7.08	4,719,971	95.1
Lenawee	91,476	1,659,148,013	18,137	5.27	8,099,749	121.9
Montcalm	53,059	825,343,056	15,555	6.05	4,579,780	74.9
LAPEER	74,768	1,454,312,244	19,450	4.77	\$ 6,431,507	114.3
Bay County	111,723	\$1,876,320,300	16,794	9.76	\$17,158,953	1,410.7
City of Lapeer	7,759	128,847,000	16,600	8.79	1,091,894	251.5
St. Joseph	58,913	976,170,935	16,571	6.52	5,788,499	117.0
Van Buren	70,060	1,264,143,526	18,059	6.71	7,957,738	114.7

COMPARABLE FINDINGS: The chair first finds that the City of Lapeer should not be considerable comparable to Lapeer County. The different governmental structure of Lapeer City combined with its variant demographic, geographic and financial data, lead to this conclusion. The

⁹ Thus, the County points out that only the City has the ability to levy an income tax. (The City income tax referenced at the hearing was 1% for residents and .5% for non-residents). And, the City's shared revenue formula and millage rate (and rate limits) are different.

chair finds no countervailing substance in the argument of unique relationship, nor otherwise finds justification to include the City as a comparable.

With respect to the remaining three disputed counties, the chair basically considered the same factors as the parties did, reviewing demographics, wealth and geographic proximity. There is no ranking in importance between these variables, nor exact percentage values to be ascribed to each, rather the combination must be used on balance to determine comparability or non-comparability. The balance for different comparables will be different, however, due to the unique nature of each county.

Here Lapeer opposes inclusion of Bay County due to its more densely and generally more populated area, its relatively good fortune both in far higher millage rates and greater industrial base. The chair, however, cannot agree. Bay County falls within the reasonable range the Union used to identify comparables, and it is closer geographically than the other counties used for comparison. This proximity, in the chair's mind, counterbalances the greater differences in other factors which exist between Lapeer and Bay as contrasted to Lapeer and the stipulated comparables.

As to the remaining counties of St. Joseph and Van Buren, the Union opposes them on the basis of geographic proximity. The map, however, reveals that the agreed to comparables spread south, southwest, west and north west of Lapeer County, extending into a sizeable area of the lower half of the lower peninsula of Michigan. Given this existing span, together with the closeness of the demographic and financial data between

St. Joseph and Lapeer, and between Van Buren and Lapeer, the chair is persuaded that these counties should be included in the comparables. The resulting list consists of ten counties:

- | | |
|-------------------|----------------------|
| 1) Barry County | 6) Isabella County |
| 2) Bay County | 7) Lenawee County |
| 3) Clinton County | 8) Montcalm County |
| 4) Eaton County | 9) St. Joseph County |
| 5) Ionia County | 10) Van Buren County |

* * * * *

ISSUE 1. SECOND YEAR WAGES (1/1/95 to 12/31/95)

* * * * *

County's

LBO: Sergeant Salary Increase - 4%
Lieutenant Salary Increase - 4%
Deputy Clerk & Deputy Clerk II Salary Increase - 4%
Dispatcher Salary Increase - 4%
Corrections Salary Increase - 4%
Deputy Salary Increase - 4%
Detective Salary Increase - 4%

Union's

LBO: Sergeant Salary Increase - 5%
Lieutenant Salary Increase - 5%
Deputy Clerk & Deputy Clerk II Salary Increase - 5%
Dispatcher Salary Increase - 5%
Corrections Salary Increase - 5%
Deputy Salary Increase - 5%
Detective Salary Increase - 5%

* * * * *

ISSUE 2. THIRD YEAR WAGES (1/1/96 to 12/31/96)

* * * * *

County's

LBO: Sergeant Salary Increase - 4%
Lieutenant Salary Increase - 4%
Deputy Clerk & Deputy Clerk II Salary Increase - 4%
Dispatcher Salary Increase - 4%
Corrections Salary Increase - 4%
Deputy Salary Increase - 4%
Detective Salary Increase - 4%

Union's

LBO: Sergeant Salary Increase - 5.5%
Lieutenant Salary Increase - 5%
Deputy Clerk & Deputy Clerk II Salary Increase - 5%
Dispatcher Salary Increase - 5%
Corrections Salary Increase - 5%
Deputy Salary Increase - 5.5%
Detective Salary Increase - 5.5%

Background:

Base wages of Lapeer Sheriff's Department employees (as have those of other County workers), have been traditionally low. There are approximately 300 employees in the component units of Lapeer County; there are approximately 44 officers in the Sheriff's Department.

In 1994 the Lapeer Deputies received pension improvements,¹⁰ and they have substantially better benefits than those of other Lapeer County employees.¹¹ Sheriff's Department employees pay no contribution toward their pension plans, the County obviously picks up that expense.^y

Lapeer has the highest SEV per capita of any of the comparables.¹²

Lapeer has the lowest millage rate (4.77%) of the comparables, and that rate is the 76th lowest out of 82 counties in the state. In 1986, the Lapeer millage was fixed by a vote, resulting in loss about one mill.¹³ And the County's taxing ability has been further reduced by Headlee, Proposal A and truth in taxation. Thus, Lapeer millage rate has remained very low.¹⁴ As a result, County Administrator/Controller John Biscoe explained, the general operating fund millage rate has been reduced each year, eroding the County's ability to pay for the ever increasing demand for county services.¹⁵

¹⁰ In 1994, the first year of this contract, there was an to a increased B-3 pension was provided to members of this bargaining unit. It has had a significant increase in the cost to the County Pension System and the unfunded liabilities in the County Pension Systems with MERS.

¹¹ The Sheriff's Department is the only County group that gets the B-3, F-50 with full retirement after 25 years, and officers receive a \$750.00 retirement escalator for health insurance. (Many comparables have no health insurance for retirees).

¹² In descending order, the SEV/Capita is:

Lapeer	\$19,450
Eaton	18,573
Lenawee	18,137
Van Buren	18,059
Barry	17,463
Clinton	17,921
Bay	16,794
St Joseph	16,571
Montcalm	15,555
Isabella	13,114
Ionia	12,676

¹³ County Administrator/Controller John Biscoe testified that this caused about \$600,000 in revenue loss between two fiscal years.

¹⁴ Biscoe also testified that had it not been for the millage reduction by the electorate, it would have generated another half million a year in revenue. (With the additional mill, Lapeer's millage would still be lower than the comparables except for Lenawee with a 5.27% rate).

¹⁵ The County points out that general revenue has also been reduced by captured tax revenues, where its cities and villages have established tax increment finance districts or downtown development authorities. So, despite the fact that Lapeer has to provide services to these entities, it loses tax revenue generated from them. (TIFA's and DDA's cost Lapeer approximately \$200,000 each year). But, the chair notes, these difficulties are common to all county governments, whereas the low millage rate and special millage rate limitation are specific to Lapeer County.

Lapeer is fast growing, its growth occurring principally in residential areas. The demand for County services, therefore, is rising.¹⁶ But, as Biscoe explained, the County's tax revenues are not "keeping up with service demands."

The Consumer Price Index for Lapeer County¹⁷ rose 3.3% in 1995 over the year before; 3.2% in 1994; 27.% in 1993 and 2.1% in 1992.

County's

Position: Four percent in each of the two years or 8% over the two years is fair and more than generous. No comparable community received more than 4% in any contract year and none received two 4% pay hikes in the years involved in these proceedings. The Employer's LBO is, moreover, higher than the cost of living and it continues to improve the status of the unit as against any of the suggested comparables.

Compensation of Lapeer employees has improved over the years and they are now competitively compensated. When net cash compensation is examined, Lapeer has moved from being near the bottom to being above the median and average in virtually every category. This is clear from viewing the "overall compensation"-- adding longevity, shift differential and the zero pension contribution¹⁸ -- to base for a 15-year Deputy in 1994,¹⁹ (and to reviewing similar data for the other classifications). These figures show Deputy compensation of \$30,370 which compares most favorably with \$30,465 average total compensation and a median of \$29,865.²⁰ Adding the 4% pay hike for 1995, these members had total net cash compensation greater than that of any of the comparables. A Deputy Sheriff in 1995 would thus rank third highest among the nine counties. For calendar year 1996, Lapeer Deputies would rank third and be only \$267.00 less than Isabella County.

The Employer points out that the average Deputy increase for the nine comparables in 1995 was 2.7% and the median 3.0%. Only Montcalm County gave a straight 4% pay raise; only St. Joseph County gave two 2% pay hikes during the year with a 4% total (but that was paid in six month increments so it only cost the Employer 3%). And in 1996, not one of these counties gave 4% for 1996 as Lapeer offers.

As to Sergeants, they are very competitively compensated as shown by the comparisons for 1994 (which include the zero percent pension contribution). That improved in 1995 and 1996 based upon the fact that the pay hikes

¹⁶ The County points out that the demand for services is going up in all areas: health, prosecution, juvenile, justice services, jail, across the whole spectrum of county services.

¹⁷ This data is from using the CPI-U (Detroit/Ann Arbor-All Urban Consumers) from the BLS of the US Department of Labor.

¹⁸ The County stresses that Lapeer Sheriff's Department employee have a retirement plan equal to or better than all of the comparables save two. (And Lapeer Dispatchers have the best retirement plan of any comparable).

¹⁹ In addition to these factors, the County points out that Lapeer provides 45 paid days for Dispatchers, more than any other county; Lapeer provides Corrections with 50 days off and the average (including Bay County at 48) is 44; Deputies receive 50 days off and the average is 47 according to the Union statistics; Sergeants and Lieutenants receive 55 days off which is eight more than the average on the Union comparables.

²⁰ These and subsequent Employer statistics are predicated on use of the nine comparables the Employer, in its post-hearing takes as to comparables.

offered in these proceedings are higher than those of any comparable. And, the same is true for Lieutenants.

As to Dispatchers, in 1995 they would receive the highest pay raise accorded to in any comparable dispatchers group. And the 4% in 1996 would be the second highest offered to any of the proposed comparables. (The longevity, shift premium, pension and days off provided to Dispatchers in the County are the highest of any of the proposed or offered comparables).

For the Corrections only Montcalm County received 5%. In 1996, the 4% offered by Lapeer is second only to the four point one percent (4.1%) offered to members in Eaton County.

The County offers Sheriff's Department employee more than to the remainder of County employees, it provides competitive and improving compensation in comparison to the other counties, and it does this despite the financially difficult times the County is facing. The County concludes that under Section 9 of the Act its LBO on each classification should be adopted.

Union's

Position: Unit members have been shortchanged because of low wages over many years and the increasing cost of living. The increases suggested by the Union's LBO reflect an attempt to keep up with inflation and provide a modest wage increase. Those proposals, moreover, do not impose any financial hardship on the County. Lapeer is a fast growing county in excellent financial shape, able to meet the costs associated with any improvements in wages.

Using the six stipulated comparables and the County's proposed comparables, Lapeer Deputy Sheriffs rank ten, or last, in wages for 1995 after the County's proposed 4% increase. In fact, using a 4% increase across-the-board Lapeer ranks in the bottom half of the comparables in every instance and is below the comparable average. Based upon these facts taken from the County's own exhibits, the Union's proposed wage increases are more reasonable as they will help equalize wages with the comparables.

A 7.0% wage (originally supported by the Union in this proceeding)²¹ for deputies in 1995 raises their base salary to \$30,981.00, which leaves them ranked fourth out of the six stipulated comparables for 1995 and \$1,168.00 below the comparable average. The disparity is even greater considering the Union's modified requests for a 5% increase in 1995 and 5.5% increase in 1996. Currently, Lapeer Deputies are ranked sixth in wages, although they are ranked second in SEV. (And the wage increase proposed by the Union in terms of dollars is significantly lower than what other units have received, both for this and for all the other classifications in Units A and B).

A 6% increase for 1995 raises the Sergeant base salary to \$34,029.00. This increase leaves the Sergeant ranked fourth out of the six stipulated comparables for 1995 and \$1,189.00 below the comparable average. This disparity is even greater considering the Union's requests for a 5% increase in 1995 and 5.5% increase in 1996. Currently, Lapeer Sergeants are ranked fourth in wages, although they are ranked second in SEV.

For Detectives a 7.0% wage increase for 1995 raises their base salary to \$33,540.00. This increase leaves Detectives ranked fifth of the six

²¹ At the arbitration proceeding the Union's position supported percentage increases of five, six and seven percent for various classifications for the two contract years. In its LBOs, however, the Union modified these figures so that five percent for all classifications is sought in 1995 and the same in 1996, except for the sergeant, deputy and detective classification where increases of 5.5% are sought for 1996.

stipulated comparables for 1995 and \$1,482.00 below the comparable average. Currently, Lapeer Detectives are ranked fifth in wages although they are ranked second in SEV. The Union is only, however, proposing a 5% increase in 1995 and a 5.5% increase 1996 and seeks to equalize Lapeer Detectives wages with the comparables.

Next, 5% increases in 1995 and 1996 for Lieutenants will, in 1995, raise Lieutenant base pay to \$36,604.00, leaving the Lieutenant ranked third of the six comparables for 1995, \$766.00 below the comparable average. Thus, the Union's offer seeks to keep the Lapeer Lieutenants barely in line with the stipulated comparables' wages.

With a 5% increase in 1995 for Dispatchers, this raises their base salary to \$23,958.00, leaving Dispatchers ranked fourth out of the six stipulated comparables, \$844.00 below average. The Union's proposed increase will help keep Lapeer Dispatchers in line with the comparable communities, although they are still below the comparable average.

Finally, a 5% wage increase for 1995 and 1996 for Deputy Clerks simply grants a wage increase to keep them in line with the comparable average and to maintain the Deputy Clerk's relative position among the comparables. It is significant, therefore, that the Union is only requesting 5% increases.

The Union urges adoption of its LBO's on each classification as being the only fair and equitable way to compensate its members.

Analysis: To resolve pay increases for 1995 and 1996 the panel starts with the comparative wage data. Deputy base wages in 1991 reveal that Lapeer ranked eighth out of the nine counties for which there is data, ahead of Barry County. In 1992 Lapeer was last of nine, \$43 behind Barry. In 1993 Lapeer was eighth of nine, ahead of Barry.

COUNTY	DEPUTY BASE RATE 1991 ²²	DEPUTY BASE RATE 1992	PERCENT INCREASE IN 1992	DEPUTY BASE RATE 1993	PERCENT INCREASE IN 1993
Barry	\$25,979	\$27,290	5.0%	\$28,101	3.0%
Bay	\$31,675	\$33,075	4.4%	\$33,617	1.6%
Clinton	\$29,216/\$29947	\$31,145	6.6%	\$32,391	4.0%
Eaton	\$28,854	\$30,297	5.0%	\$31,812	5.0%
Ionia	\$28,114	\$28,817	2.5%	\$29,682	3.0%
Isabella	\$28,090	\$29,020	3.3%	\$30,000	3.4%
Lenawee	\$28,881	\$28,881	0.0%	\$29,458	2.0%
Montcalm	\$26,928	\$27,928	3.7%	\$28,766	3.0%
St. Joseph					
Van Buren					

²² The year denotes calendar year unless a rate change effective July 1st (or other contract year) is noted. (Rankings also change where effected by mid-calendar expirations). This formulation is used in all the following charts.

Average	\$28,513	\$29,557		\$30,478	
LAPEER	\$26,208 <2305>	\$27,248 <2309>	4.0%	\$28,330 <2148>	4.0%

For 1994, on base wages alone, Lapeer was tied with Barry for 9th and 10th place, both of these counties having a higher base than Montcalm.²³ But, Lapeer's fringe benefits -- including longevity, shift differential and the net effects of employee contributions to retirement plans²⁴ -- modify this picture, improving the relative position of Lapeer with the comparables.²⁵ Thus, Lapeer is ranked 6th out of those 11 counties in 1994, ahead of (in descending order) Van Buren, Montcalm, St. Joseph, Lenawee and Barry. And Deputy total compensation under this approach is \$30,070 which is \$707 below the average for the comparables. These figures come from the following:

COUNTY	DEPUTY (15 YEAR) BASE RATE 1994	PERCENT INCREASE	LONGEVITY	SHIFT DIFFERENTIAL	LESS EMPLOYEE RETIREMENT CONTRIBUTION ²⁶	TOTAL NET CASH COMPENSATION
Barry	\$28,954	3.0%	\$375	--	\$692	\$28,637
Bay	\$33,617 (93 rate, last K)	NA	\$1009	\$312	0%	\$34,938 (93 rate, last K)
Clinton	\$33,686	4.0%	\$600	--	\$343	\$33,943
Eaton	\$32,448	2.0%	\$800	--	\$1,995	\$31,253
Ionia	\$30,869	4.0%	\$2,205	--	\$1,323	\$31,761
Isabella	\$30,900	3.0%	--	\$104	0%	\$31,004
Lenawee	\$30,342	3.0%	\$600	--	\$1,702	\$29,240
Montcalm	\$27,773	3.5%	--	\$173	0%	\$29,946
St. Joseph	\$29,869	3.0%	--	\$208	\$566	\$29,886

²³ In 1994 to 1996, the comparative data is available for ten comparables, which changes the formulation for the comparison. (This, of course, occurs with respect to the other wage charts as well).

²⁴ The chair agrees with the Employer that uniform allowance and educational incentive are not reliable measures for total next compensation. Thus the uniform allowance does not go "in pocket," but is directed to a specific need, and cleaning is often provided, in kind, by a department. Also, as to educational reimbursement, this unevenly and unpredictably benefits individuals as they have occasion to further their educations.

²⁵ Lapeer deputies and other Sheriff's Department employees also benefit from a greater number of paid days off than most of the comparables, but this benefit is not charted.

Lapeer provides 45 paid days for Dispatchers, more than any other county; Lapeer provides Corrections with 50 days off and the average (including Bay County at 48) is 44; Deputies receive 50 days off and the average is 47 according to the Union statistics; Sergeants and Lieutenants receive 55 days off which is eight more than the average on the Union comparables.

²⁶ For those comparables where employees contribute to their retirement plan, those contributions are from 1% to 6% of wages.

Van Buren	\$31,353	3.0%	\$400	--	\$1,588	\$30,165
Average	\$30,981					\$31,077
LAPEER	\$28,954 <\$2027>	2.2% ²⁷	\$1,000	\$416	0%	\$30,370 <\$707>

Deputy wage data for 1995 and 1996 provides:

COUNTY	DEPUTY (15 YEAR) BASE RATE 1995	PERCENT INCREASE	DEPUTY (15 YEAR) BASE RATE 1996	PERCENT INCREASE
Barry	\$29,823	3.0%	\$30,419/ \$31,027	2.0% + 2.0%
Bay	\$33,617 (93 rate, last K)	NA	\$33,617 (93 rate, last K)	NA
Clinton	\$34,697	3.0%	\$35,151	1.3%
Eaton	\$32,448	0.0%	\$33,421	3.0%
Ionia	\$32,011	3.7%	\$32,875	2.7%
Isabella	\$31,927	3.3%	\$32,886	3.0%
Lenawee	\$30,949	2.0%	\$31,568	2.0%
Montcalm	\$30,964	4.0%	\$31,893	3.0%
St. Joseph	\$30,472/ \$31,075	2.0%/ 2.0%	\$31,699/ \$32,323	2.0% + 2.0%
Van Buren	\$32,282	3.0%	\$33,259	3.0%
Average	\$31,949		\$32,740	
LAPEER ER LBO 4%	\$30,112 (ER LBO) <\$1837> \$30,402 (UN LBO) <\$1547>	4.0% ²⁸ or 5.0%	\$31,317 (ER LBO) <\$1423> \$31,618 (UN LBO after 4%) <\$1122> \$32,074 (UN LBO after 5%) <\$667>	4.0% ²⁹ or 5.5%

In 1995 Lapeer Deputies base wage was \$30,311 and that ranked 10th out of 11, ahead of Barry. This is \$1837 below the average base wage with a 4% increase and \$1547 behind with a 5% increase. In 1996 Lapeer is

²⁷ In 1994 the Lapeer Deputies received pension improvements of a 2.25 multiplier [B-3].

²⁸ In 1994 the Lapeer Deputies received pension improvements of a 2.25 multiplier [B-3].

²⁹ In 1994 the Lapeer Deputies received pension improvements of a 2.25 multiplier [B-3].

10th out of 11, ahead of Barry, given a 4% increase. But the Employer provided total compensation figures which reflect that Lapeer Deputies were paid \$31,528 in 1995 and \$32,733 in 1996 -- above the respective averages of \$31,207 (1995) and \$31,969 (1996).³⁰ Thus, taking into account compensation from longevity, shift differential and a zero retirement contribution dramatically changes the comparative outcome.

Next, with respect to Dispatchers, the comparative data shows Lapeer employees ranked 6th of eight for the comparatives with data for 1991, being \$2315 below average. In 1992 they were sixth of seven and \$1567 below average; for 1993 they were seventh of eight and \$1456 below average:

COUNTY	DISPATCHER BASE RATE 1991	DISPATCHER BASE RATE 1992	PERCENT INCREASE IN 1992	DISPATCHER BASE RATE 1993	PERCENT INCREASE IN 1993
Barry	--	--	--	--	--
Bay	\$22,905	\$23,915	4.4%	\$24,786	3.6%
Clinton	\$26,136/\$26,867	--	--	\$22,921	--
Eaton	\$26,451	\$27,245	3.0%	\$28,975	6.3%
Ionia	\$20,968	\$21,492	2.5%	\$22,137	3.0%
Isabella	\$20,047	\$20,448/ \$20,857	2.0%	\$21,275/ \$21,700	4.0%
Lenawee	\$22,024	\$22,024	0.0%	\$22,465	2.0%
Montcalm	\$21,016	\$22,116	5.2%	\$22,779	3.0%
St. Joseph					
Van Buren					
Average	\$22,845	\$22,907		\$23,650	
LAPEER	\$20,530 <\$2315>	\$21,341 <\$1567>	4.0%	\$22,194 <\$1456>	4.0%

In 1994 Lapeer Dispatchers ranked 9th of 11 on base wages, \$1834 below average; in 1995 they ranked tenth or eighth (depending on whose LBO is accepted), and in 1996 they ranked tenth or seventh (depending on whose LBO is accepted). (Not reflected in the charts below are considerations which applied to Dispatchers as well as Deputies, namely the zero retirement contribution and certain benefits which create additional take-home pay).

³⁰ The Employer's total compensation figures, they do not include Bay County as one of the comparables; they include the six stipulated plus Van Buren and St. Joseph.

COUNTY	DISPATCHER BASE RATE 1994	PERCENT INCREASE IN 1994	DISPATCHER BASE RATE 1995	PERCENT INCREASE IN 1995	DISPATCHER BASE RATE 1996	PERCENT INCREASE IN 1996
Barry	\$24,003	--	\$24,731	3.0%	\$25,473 ³¹	3.0%
Bay	\$25,522	3.0%	\$26,291	3.0%	\$26,686/ \$27,082	3.0%
Clinton	\$23,494	2.5%	\$23,963	2.0%	\$24,682	3.0%
Eaton	\$29,699	2.5%	\$30,590	3.0%	\$31,355 ³²	3.0%
Ionia	\$22,443	1.4%	\$23,338	4.0%	\$25,168	7.8%
Isabella	\$22,243	5.5%	\$22,799	2.5%	\$23,369	2.5%
Lenawee	\$23,139	3.0%	\$23,602	2.0%	\$24,074	2.0%
Montcalm	\$23,576	3.5%	\$24,519	4.0%	\$25,255	3.0%
St. Joseph	\$23,546		\$24,253	3.0%	\$24,981	3.0%
Van Buren	\$28,857		\$29,723	3.0%	\$30,618	3.0%
Average	\$24,652		\$25,381		\$26,186	
LAPEER	\$22,818 <\$1834>	2.8%	\$23,107 (ER LBO) <\$2274> \$23,958 (UN LBO)	4.0% or 5.0%	\$24,031 ER LBO 4% <\$2155> \$24,262 UN LBO after 4% <\$1924> \$25,156 (UN LBO after 5%) <\$1030>	4.0% or 5.0%

Next, with respect to Corrections Officers the comparative data shows Lapeer employees ranked 7th of eight for the comparatives with data for 1991, being \$1875 below average. In 1992 they were 6th of eight and \$1901 below average; for 1993 they were 6th of nine and \$1677 below average:³³

COUNTY	CORRECTIONS BASE RATE 1991	CORRECTIONS BASE RATE 1992	PERCENT INCREASE IN 1992	CORRECTIONS BASE RATE 1993	PERCENT INCREASE IN 1993
Barry	--	--	--	\$25,230	--
Bay	\$29,315	\$30,602	4.4%	\$31,696	3.6%
Clinton	\$26,136/\$26,867	\$28,065	7.4	\$29,311	4.4%
Eaton	\$26,831	\$28,173	5.0%	\$29,582	5.0%

³¹ The Employer's data indicates a January, 1996 rate of \$24,731 and an April, 1996 rate of \$25,480.

³² The Union's data indicates a figure of \$32,296 -- this is the base wage the Employer lists for dispatchers in Eaton County starting on January 1, 1997.

³³ Considerations not charted include those elements of total compensation set forth for Deputies.

Ionia	\$20,968	\$21,597	3.0%	\$22,245	3.0%
Isabella	\$23,318	\$24,134	3.5%	\$24,979	3.5%
Lenawee	\$27,667	\$27,667	0.0%	\$28,220	2.0%
Montcalm	\$21,016	\$22,115	5.2%	\$23,001	4.0%
St. Joseph					
Van Buren					
Average	<u>\$25,088</u>	<u>\$26,050</u>		<u>\$26,783</u>	
LAPEER	\$23,21312	\$24,149 <\$1875>	4.0%	\$25,106 <\$1677>	4.0%

In 1994 Lapeer Corrections Officers ranked 8th of 11 on base wages, \$2030 below average; in 1995 and 1996 they ranked 7th under either parties' LBO. The differences being in the amounts under various LBOs and combinations for base salary below average:

COUNTY	CORRECTIONS BASE RATE 1994	PERCENT INCREASE IN 1994	CORRECTIONS BASE RATE 1995	PERCENT INCREASE IN 1995	CORRECTIONS BASE RATE 1996	PERCENT INCREASE IN 1996
Barry	\$25,979	3.0%	\$26,749	2.9%	\$27,560	3.0%
Bay	\$32,490	2.5%	\$33,405	2.8%	\$33,904/ \$34,403	3.0%
Clinton	\$30,606	4.4%	\$31,524	3.0%	\$31,937	1.3%
Eaton	\$30,174	2.0%	\$30,501	1.1%	\$31,750	4.1%
Ionia	\$23,135	4.0%	\$23,991	3.7%	\$24,711	3.0%
Isabella	\$24,979	0.0%	\$25,728	3.0%	\$26,243	2.0%
Lenawee	\$29,067	3.0%	\$29,648	2.0%	\$30,241	2.0%
Montcalm	\$24,036	4.5%	\$25,238	5.0%	\$26,121	3.5%
St. Joseph	\$27,290		\$27,830/ \$28,392		\$29,536	3.0%
Van Buren	\$29,847		\$30,742		\$31,657	
Average	\$27,760		\$28,564		\$29,391	
LAPEER	\$25,730 <\$2030>	2.5%	\$26,759 (ER LBO) <\$1805> \$27,016 (U LBO) <\$1548>	4.0% or 5.0%	\$27,830 (ER LBO) <\$1561> \$28,097 (U LBO after 4%) <\$1294> \$28,367 (U LBO after 5.0%) <\$1024>	4.0% or 5.0%

Next, with respect to Lieutenants, the comparative data shows:

COUNTY	LIEUTENANTS BASE RATE 1991	LIEUTENANTS BASE RATE 1992	PERCENT INCREASE IN 1992	LIEUTENANTS BASE RATE 1993	PERCENT INCREASE IN 1993
Barry	--	--	--	--	--
Bay	--	--	--	--	--
Clinton	--	--	--	--	--
Eaton	\$36,607	\$38,437	5.0%	\$40,359	5.0%
Ionia	--	--	--	--	--
Isabella	--	--	--	--	--
Lenawee	\$35,554	\$35,554	0.0%	\$36,265	2.0%
Montcalm	\$29,688	\$30,790	3.7%	\$31,714	3.0%
St. Joseph					
Van Buren					
LAPEER	\$31,658	\$32,926	4.0%	\$34,237	4.0%

COUNTY	LIEUTENANTS BASE RATE 1994	PERCENT INCREASE IN 1994	LIEUTENANTS BASE RATE 1995	PERCENT INCREASE IN 1995	LIEUTENANTS BASE RATE 1996	PERCENT INCREASE IN 1996
Barry	--	--	--	--	--	--
Bay	--	--	--	--	--	--
Clinton	--	--	--	--	--	--
Eaton	\$41,116	2.0%	\$41,116	0.0%	\$42,401	4.1%
Ionia	--	--	--	--	\$36,214	--
Isabella	--	--	--	--	--	--
Lenawee	\$36,809	1.5%	\$36,809	0.0%	\$36,809	2.0%
Montcalm	\$32,824	3.5%	\$34,137	4.0%	\$35,161	3.5%
St. Joseph	--	--	--	--	--	--
Van Buren	\$34,839		\$35,859		\$36,941	
LAPEER	\$34,861	2.5%	\$36,255 ER LBO or \$36,604 UN LBO	4.0% or 5.0%	\$37,706 ER LBO 4% \$38,438 UN LBO	4.0% or 5.0%

Next, with respect to Sergeants,³⁴ the comparative data shows Lapeer employees ranked 7th of nine for the comparatives with data for 1991, being \$2432 below average. In 1992 they were 7th of nine and \$2122 below average; for 1993 they were 6th of nine and \$2254 below average:

COUNTY	SERGEANTS BASE RATE 1991	SERGEANTS BASE RATE 1992	PERCENT INCREASE IN 1992	SERGEANTS BASE RATE 1993	PERCENT INCREASE IN 1993
Barry	\$27,144	\$28,496	5.0%	\$29,557	4/5
Bay	\$34,953	\$36,491	4.4%	\$37,083	1.6%
Clinton	\$31,078/\$31,885	\$33,160	6.7	\$34,487	4.04%
Eaton	\$33,854	\$35,547	5.0%	\$37,324	5.0%
Ionia	\$29,495	\$30,232	2.5%	\$31,139	3.0%
Isabella	\$30,899	\$31,922	3.3%	\$33,001	3.4%
Lenawee	\$33,989	\$33,989	0.0%	\$34,669	2.0%
Montcalm	\$28,274	\$29,324	3.7%	\$30,204	3.0%
St. Joseph					
Van Buren					
Average	\$31,261	\$32,395		\$33,433	
LAPEER	\$28,829 \$2432	\$29,973 \$2422	4.0%	\$31,179 \$2254	4.0%

In 1994 Lapeer Sergeants ranked 9th of 11 on base wages, \$2291 below average; in 1995 they ranked 9th of 11 under either LBO and in 1996 they ranked 9th of 11 under the ER LBO and either 7th or 8th under the Union's LBOs.

COUNTY	SERGEANTS BASE RATE 1994	PERCENT INCREASE IN 1994	SERGEANTS BASE RATE 1995	PERCENT INCREASE IN 1995	SERGEANTS BASE RATE 1996	PERCENT INCREASE IN 1996
Barry	\$31,554/ \$31,762	3.7%	\$32,714	3.0%	\$32,397/ \$33,045	4.0%
Bay	\$37,083 (93 rate)	--	\$37,083 (93 rate)	--	\$37,083 (93 rate)	--
Clinton	\$35,866	4.0%	\$36,942	3.0%	\$37,681	2.0%
Eaton	\$38,070	2.0%	\$38,070	0.0%	\$39,212	3.0%
Ionia	\$32,385	4.0%	\$33,583	3.7%	\$34,490	2.7%
Isabella	\$33,991	3.0%	\$35,011	3.0%	\$36,061	3.0%

³⁴ Detectives in Lapeer although listed separately in the contract as a separate classification, are typically sergeants or deputies. Detective work in Lapeer can be assigned to any officer or supervisor rank. Because of this arrangement, and because the pay rates for sergeant and deputy are the same in each of the parties' LBOs as they are for detectives, the chair does not separately address data for this classification.

Lenawee	\$35,189	1.5%	\$35,189	0.0%	\$35,189	0.0%
Montcalm	\$31,261	3.5%	\$32,511	4.0%	\$33,486	3.0%
St. Joseph	\$32,261		\$32,906/ \$33,571		\$34,237/ \$34,927	
Van Buren	\$33,180		\$34,176		\$35,201	
Average	\$34,094		\$34,852		\$35,571	
LAPEER	\$31,803 <\$2291>	2.0%	\$33,075 (ER LBO) <\$1777> \$33,393 (UN LBO) <\$1459>	4.0% or 5.0%	\$34,398 ER LBO 4% <\$1173> \$34,894 (UN LBO after 4%) <\$677> \$35,230 (UN LBO after 5.0%) <\$341>	4.0% or 5.5%

The Employer also provided total compensation figures for Sergeants for the years 1994, 1995 and 1996. These figures covered all comparables except Barry and Bay Counties, and provide data to show the following averages and data for Lapeer Sergeants:

	SERGEANT (15 YEAR) BASE RATE 1994	TOTAL NET CASH COMPENSATION 1994	SERGEANT (15 YEAR) BASE RATE 1995	TOTAL NET CASH COMPENSATION 1995	SERGEANT (15 YEAR) BASE RATE 1996	TOTAL NET CASH COMPENSATION 1996
Comparable Average		\$32,944		\$33,671		\$34,447
Comparable Median		\$32,688		\$32,825		\$33,659
LAPEER	\$31,803	\$33,219	\$33,075	\$34,491	\$34,398	\$35,814

CONCLUSIONS: Although Lapeer Sheriff's Departments employee lag behind base wages paid to comparable employees in departments in other counties, the chair finds that improvement has occurred in their overall compensation. It appears that Deputies by 1994 were receiving only \$707 behind the comparables average for total compensation, and were slightly above that average in 1995 and 1996. And, it appears that in 1995 and 1996, Sergeants also received slightly above the average for all the

comparables when total compensation was considered. Thus, with "total compensation" calculated to include base, longevity, shift differential and the impact of employee retirement contributions, it appears that Lapeer is no longer lagging far behind.

The chair does not suggest that Lapeer Sheriff's employees have caught up on wages; they have not. But gains have already been made. And with the addition of 8% over the two contract years in question, the panel is persuaded that the Employer's LBO should be adopted.

There are for 1995 and 1996 other counties who, in combination, paid their employees 8% or better over those two years.³⁵ But no deputy or

³⁵ See, for example:

COUNTY	DISPATCHER 1995 PERCENT INCREASE	DISPATCHER 1996 PERCENT INCREASE	TOTAL INCREASE FOR TWO YEARS
Ionia	4.0%	7.8%	11.8%
Montcalm	4.0%	3.0%	7.0%
LAPEER	4.0% ER LBO	4.0% ER LBO	8.0%

COUNTY	CORRECTIONS 1995 PERCENT INCREASE	CORRECTIONS 1996 PERCENT INCREASE	TOTAL INCREASE FOR TWO YEARS
Eaton	1.1%	4.1%	5.2%
Montcalm	5.0%	3.5%	8.5%
LAPEER	4.0% ER LBO	4.0% ER LBO	8.0%

Also noted, are the highest raises provided to Lieutenants:

COUNTY	LIEUTENANTS 1995 PERCENT INCREASE	LIEUTENANTS 1996 PERCENT INCREASE	TOTAL INCREASE FOR TWO YEARS
Eaton	0.0%	4.1%	4.1%
Montcalm	4.0%	3.5%	7.5%
LAPEER	4.0% ER LBO	4.0% ER LBO	8.0%

sergeant unit received raises in excess of the 8% total provided to Lapeer employees.³⁶

The fact that other comparables counties implemented certain, substantial increases in base wages, favors the Union's position in this proceeding. (See footnotes 35 and 36). But the comparable field contains ten counties and overall averages for wage increases for 1995 and 1996 do not come close to the 8% offered to the Lapeer employees.

There is no doubt but that SEV/capita for Lapeer reveals that it is an affluent County, a growing county, and obviously one which needs to invest more in professional and well-compensated law enforcement and support personnel. (And these things remain true despite the problems the administration has in dealing with a low millage rate which suppresses its ability to raise general operating funds). On balance,

³⁶ The Deputy and Sergeant contracts providing the highest pay raises in 1995 and 1996 are:


COUNTY	DEPUTY 1995 PERCENT INCREASE	DEPUTY 1996 PERCENT INCREASE	TOTAL INCREASE FOR TWO YEARS
Barry	3.0%	2.0% + 2.0%	7.0% to base (but 1996 increase totals 3% due to split).
Montcalm	4.0%	3.0%	7.0% to base
St Joseph	2.0%+ 2.0%+	2.0% + 2.0%	8.0% to base (but pay increases total 3.0% each year, due to splits)
LAPEER	4.0% ER LBO	4.0% ER LBO	8.0%


COUNTY	SERGEANTS 1995 PERCENT INCREASE	SERGEANTS 1996 PERCENT INCREASE	TOTAL INCREASE FOR TWO YEARS
Barry	3.0%	4.0%	7.0%
Montcalm	4.0%	3.0%	7.0%
LAPEER	4.0% ER LBO	4.0% ER LBO	8.0%


however, the record shows movement and improvement for wages for all unit classifications. The chair is not, therefore, persuaded that this two year wage re-opener is an appropriate time to do more catchup than what the 4% improvement offered by the County provides. Although no doubt a disappointment to unit members and the Union, especially with respect to the critical deputy and sergeant ranks, the record supports the reasonableness of the Employer's LBOs.

The chair is persuaded that a 4% increase in each of the two contract years is consistent with Section 9 of the Act, including consistency with providing an increase which is greater than the cost of living.³⁷


AWARD: The Panel finds on Issue #1 (Wages-1/1/95 to 12/31/95) that adoption of the Employer's LBO for all classifications in Unit A and Unit B more nearly complies with applicable Section 9 factors. The second year wage increase shall be an across-the-board 4% wage increase.

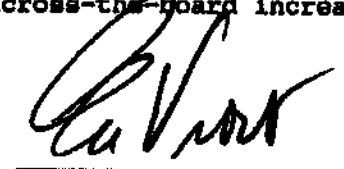

Howard Shifman
Employer Delegate
CONCUR
Dated: 6/25/97



Elaine Frost
Impartial Chair
Dated: 6-18-97


Richard Ziegler,
Union Delegate
DISSENT
Dated:

AWARD: The Panel finds on Issue #2 (Wages - 1/1/96 to 12/31/96) that adoption of the Employer's LBO for all classifications in Unit A and Unit B more nearly complies with applicable Section 9 factors. The third year wage increase shall be an across-the-board increase of 4%.


Howard Shifman
Employer Delegate
CONCUR
Dated: 6/23/97


Elaine Frost
Impartial Chair
Dated: 6-18-97


Richard Ziegler,
Union Delegate
DISSENT
Dated:


³⁷ The Consumer Price Index for Lapeer County rose 3.3% in 1995 over the year before; 3.2% in 1994; 27.2% in 1993 and 2.1% in 1992.


however, the record shows movement and improvement for wages for all unit classifications. The chair is not, therefore, persuaded that this two year wage re-opener is an appropriate time to do more catchup than what the 4% improvement offered by the County provides. Although no doubt a disappointment to unit members and the Union, especially with respect to the critical deputy and sergeant ranks, the record supports the reasonableness of the Employer's LBOs.

The chair is persuaded that a 4% increase in each of the two contract years is consistent with Section 9 of the Act, including consistency with providing an increase which is greater than the cost of living.³⁷

AWARD: The Panel finds on Issue #1 (Wages-1/1/95 to 12/31/95) that adoption of the Employer's LBO for all classifications in Unit A and Unit B more nearly complies with applicable Section 9 factors. The second year wage increase shall be an across-the-board 4% wage increase.


Howard Shifman
Employer Delegate
CONCUR
Dated:



Elaine Frost
Impartial Chair
Dated: 6-18-97


Richard Ziegler
Union Delegate
DISSENT
Dated:

AWARD: The Panel finds on Issue #2 (Wages - 1/1/96 to 12/31/96) that adoption of the Employer's LBO for all classifications in Unit A and Unit B more nearly complies with applicable Section 9 factors. The third year wage increase shall be an across-the-board increase of 4%.

Howard Shifman
Employer Delegate
CONCUR
Dated:


Elaine Frost
Impartial Chair
Dated: 6-18-97


Richard Ziegler
Union Delegate
DISSENT
Dated:

³⁷ The Consumer Price Index for Lapeer County rose 3.3% in 1995 over the year before; 3.2% in 1994; 27.% in 1993 and 2.1% in 1992.