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STATE OF MICHIGAN
EMPLOYMENT RELATIONS COMMISSION
DETROIT OFFICE

STATE OF MICHIGAN

DEPARTMENT OF LABOR

EMPLOYMENT RELATIONS COMMISSION

COMPULSORY ARBITRATION UNDER ACT 312

(PUBLIC ACT OF 1969, AS AMENDED)

In the Matter OF:

CITY OF NILES

and

ACT 312 CASE NO. G88 K-0891

LABOR COUNCIL,
MICHIGAN FOP

Niles, City of

OPINION AND AWARD OF ARBITRATION PANEL

ARBITRATION PANEL

Nathan Lipson, Chairman
Michael F. Ward, City Member
James J. Quinn, Union Member

Appearances

Union

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Attorney at Law
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Suite 150
Birmingham, Michigan

BACKGROUND

On February 3, 1989, the Union filed a Petition for 312 Arbitration with the Michigan Employment Relations Commission on the basis that the parties had attempted to bargain for a collective bargaining agreement to commence October 1, 1988, but impasse had been reached. Thereafter, the Commission appointed Nathan Lipson as impartial arbitrator and Chairman of an Arbitration Panel pursuant to Public Act 312 of 1969.

A pre-arbitration meeting took place in Jackson on December 14, 1989, at which time it was agreed that a second pre-arbitration meeting should be scheduled on February 8, 1990, to be followed by hearings on March 15 and 16, 1990. It was subsequently determined that instead of a hearing on March 15, 1990, another pre-arbitration meeting would take place. In the course of said meeting, the parties, with the approval of the Panel Chairman, reached agreement on the five issues set forth in the Petition for Arbitration. It was agreed that the disposition of said issues together with the term of the collective bargaining agreement should be set forth in a Stipulated Award.

STIPULATED AWARD

By unanimous agreement of the Arbitration Panel, the outstanding issues between the parties are resolved as follows:

I. Issue No. 1. The Union proposed:

"Section 8.4. Add employee's birthday to the list of recognized holidays."

Withdrawn - Status quo remains.

II. Issue No. 2. The Union proposed:

"Section 12.9. Increase uniform allowance to three hundred dollars (\$300.00) with uniform replacements paid out of this amount on an annual basis."

Withdrawn - Status quo remains.

III. Issue No. 3. The Union proposed:

"Section 13.4. Increase all base wage rates by four percent (4%) per year of contract."

The issue is resolved as follows:

A. Dispatchers:

Effective October 1, 1988 - a wage increase of four percent (4%).

Effective October 1, 1989 - a wage increase of four percent (4%).

Effective October 1, 1990 - a wage increase of four percent (4%).

B. All Sworn Officers:

Effective October 1, 1988 - no wage increase.

Effective October 1, 1989 - no wage increase.

Effective October 1, 1990 - a wage increase of two percent (2%).

Effective April 1, 1991 - a wage increase of two percent (2%).

IV. Issue No. 4. The Union proposed:

"Section 16.1. Effective 10-1-88 increase multiplier to 2.1% for the first twenty-five (25) years of service; effective 10-1-90 increase the multiplier to 2.3% for the first twenty-five years of service."

The issue is resolved as follows:

Modify Section 16.1 of the collective bargaining agreement to require that Ordinance No. 206A of the City of Niles, Plan B, Article V, Section 5.1 (a) be modified to provide the following changes in the multiplier:

Effective October 1, 1988 increase the multiplier from 2.0% to 2.1% for all sworn employees who retire on or after October 1, 1988.

Effective October 1, 1990 increase the multiplier from 2.1% to 2.3% for all sworn employees who retire on or after October 1, 1990.

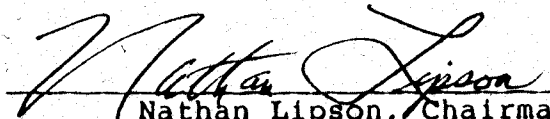
V. Issue No.5. The Union proposed:

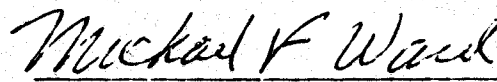
"Section 17.1. Allow clerk dispatchers to draw longevity as outlined in Agreement."

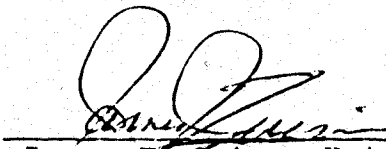
Withdrawn - Status quo remains.

VI. The term of the collective bargaining agreement shall be from October 1, 1988 to September 30, 1991. Except as modified herein, all provisions in the Agreement that was in effect until October 1, 1988 shall remain status quo.

Dated this 12th day of April, 1990.


Nathan Lipson, Chairman


Michael F. Ward, City Panel Member


James J. Quinn, Union Panel Member