

STATE OF MICHIGAN  
EMPLOYMENT RELATIONS COMMISSION  
LABOR RELATIONS DIVISION

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STATE OF MICHIGAN  
LABOR RELATIONS DIVISION

IN THE MATTER OF THE  
ACT 312 ARBITRATION BETWEEN:

CITY OF TROY,

Public Employer,

and

TROY COMMAND OFFICERS  
ASSOCIATION,

Union.

Act 312 Case No. D92 A-0075  
Panel Chairman: Mark J. Glazer, Esq.

ARBITRATION OPINION AND AWARD

The matter was scheduled for hearing before the Arbitration Panel on September 18, 1993, commencing at 9:00 a.m. Both parties appeared, with witnesses and numerous exhibits, to support their respective positions on the issues before the Panel. After extensive negotiations, under the direction and with the assistance of the Act 312 Arbitration Chairperson, the matter was submitted to the Panel for decision. The Panel has determined that the following resolution of the issues between the parties best represents the criteria set forth in Section 9 of Act 312, as amended, and an award shall, therefore, be entered by the Panel as follows:

Troy City of

AWARD

This award shall be fully retroactive where applicable.

1. Wages.

The collective bargaining agreement shall be effective for a period of three years from July 1, 1992, through June 30, 1995. During said period, wages for members of the bargaining unit shall be increased as follows:



	%	<u>Beginning Sergeant</u>	<u>Sergeant</u>	<u>Lieutenant</u>	<u>Captain</u>
July 1, 1992	4.0%	42,366	45,355	49,504	55,717
July 1, 1993	3.5%	43,849	46,943	51,237	57,667
July 1, 1994	3.5%	45,384	48,586	53,030	59,685

2. Retirement (25 and Out).

The Panel has determined that, effective January 1, 1994, the age requirement contained in Chapter 10 of the Troy City Code (Retirement System) shall be amended to eliminate the age requirement for members of the Troy Command Officers Association. Employees within the bargaining unit shall be eligible for voluntary retirement once they have completed twenty-five (25) years or more of credited service with the City.

3. Retirement (Medical Insurance).

Article 32(D) of the collective bargaining agreement shall be amended to provide as follows:

D. For those employees who retire after January 1, 1983, the insurance described in A.1 above (less optical) will be provided for retiree and spouse, provided also that these retirees will apply for medicare or its equivalent when eligible and the City will then provide supplemental insurance benefits to equal the above level of insurance benefits. However, in any event, the total cost to the City for all of the above insurance for a retiree and spouse shall not exceed one hundred and ten dollars (\$110.00) per month. For those employees who retire after July 1, 1986, the total cost to the City shall be \$165.00 per month.

For those employees who retire after July 1, 1990: 1) the following riders will apply to Blue Cross/Blue Shield medical insurance: DRI



275/550, \$5 deductible prescription; 2) the total cost to the City for medical insurance will be \$200.00/per month. For those employees who retire after July 1, 1994, the entire cost of this insurance for the retiree and spouse will be paid for by the City.

4. Retirement (Supplemental Benefit).

Effective July 1, 1993, Section 37(A) shall be amended to provide as follows:

A. All officers shall participate in the Retirement System Pension Program, as explained in Chapter 10 of the Troy City Code. The Straight Life Pension and the Age and Service Retirement shall continue as provided in Sections 6.1(A) and 6.1(B) except that the benefit computation shall be 2.25% from age 50 to 62, and 2.0% from age 62. Effective July 1, 1991, the benefit computation shall be 2.5% from age 50 to 62, and 2.25% from age 62. Effective for members retiring after July 1, 1993, the parties agree that if the eligibility age for old age insurance benefits under the Social Security Act 42 USC §401 is increased beyond the age of 62, the benefit computation shall continue at 2.50% and not be reduced to 2.25% until the retiree reaches the increased eligibility age for old-age insurance benefits.

5. Retirement (Employee Contribution).

Section 37(B) of the collective bargaining agreement shall be amended to provide as follows:

The City will contribute payments on behalf of Association members into the Retirement System Pension Program thereby eliminating all contributions by said members; except 0.01% (0.0001 x gross payroll) for record keeping purposes. Effective January 1, 1994, Association members shall, notwithstanding the foregoing, begin contributing 1.0% of their gross payroll towards funding of retirements under the Retirement System Pension Program. Effective July 1, 1994, notwithstanding the foregoing, the level of employee contribution shall be increased by an additional 1.75%, to a total of 2.75% of gross payroll, in order to assist in the funding of the member's pension under the Retirement System Pension Program.



6. Life Insurance.

The Life Insurance program shall provide participating employees with \$35,000 of life insurance, including double indemnity for accidental death, with the employee contributing 10 cents for each \$1,000 of insurance per pay period. Each employee shall have a policy issued to him.

Effective January 1, 1994, Section 31 of the collective bargaining agreement, shall be amended to provide as follows:

A. The Life Insurance program shall provide participating employees with the following life insurance:

Sergeants:	\$40,000
Lieutenants:	\$45,000
Captains:	\$50,000

This life insurance coverage shall include double indemnity for accidental death, with the employee contributing ten (\$.10) cents for each \$1,000 of insurance per pay period. Each employee shall have a policy issued to him.

7. Uniform and Cleaning.

Section 35(F) of the collective bargaining agreement shall be modified. Effective July 1, 1992, the annual cleaning allowance for members of the bargaining unit shall be increased from \$225 to \$300. The language of the collective bargaining agreement shall provide:

F. Each officer shall receive an annual cleaning allowance of \$300 on or before May 20th of each year.

8. Longevity.

Section 36 of the collective bargaining agreement shall be amended to eliminate the beginning Sergeant rate (the six (6) month Sergeant rate shall apply instead). The current sergeant rate shall also be amended. Lieutenant and Captain rates shall remain the same. Section 36 shall read as follows:



All officers shall receive longevity pay on or before December 20 of each payment year in accordance with the following schedule:

<u>Years of continuous City as of November 30 of payment year</u>		<u>Percent of base pay earned from December 1 to November 30</u>			
		<u>Sgt (Beg.)</u>	<u>Sgt (6 mos)</u>	<u>Lt.</u>	<u>Capt.</u>
4-8 Years:	2% but not more than	\$ 613	\$ 656	\$ 716	\$ 840
9-13 Years:	4% but not more than	1225	1312	1432	1679
14-18 Years:	6% but not more than	1838	1968	2148	2519
19 or over:	8% but not more than	2451	2624	2864	3358

Effective July 1, 1993, longevity payment shall be paid in accordance with the following schedule:

<u>Years of continuous City as of November 30 of payment year</u>		<u>Percent of base pay earned from December 1 to November 30</u>		
		<u>Sgt</u>	<u>Lt.</u>	<u>Capt.</u>
4-8 Years:	2% but not more than	\$ 686	\$ 716	\$ 840
9-13 Years:	4% but not more than	1373	1432	1679
14-18 Years:	6% but not more than	2059	2148	2519
19 or over:	8% but not more than	2746	2864	3358

## 9. Disability.

Section 29B shall be amended to provide as follows:

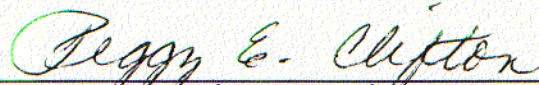
B. Long term disability insurance will be provided by the City for all employees with three or more years of service at the time of the next opening date of the insurance policy. Eligible employees must also be accepted by the insurance company. A charge of up to eight (8) hours per pay period of the employee's accrued leave time, together with said insurance, will provide approximately seventy (70) percent of an employee's gross salary beginning 12 months after an extended absence due to sickness or accident. The insurance shall continue until the employee's death, retirement or return to work or voluntary termination.

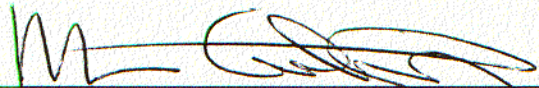


10. Tentative Agreements.

During the course of bargaining, the parties entered into several tentative agreements which are attached hereto as Exhibit A. These tentative agreements are incorporated and made a part of this Act 312 Award.

  
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Panel Chairperson

  
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Peggy E. Clifton, City Delegate

  
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Marc G. Whitefield, Union Delegate