

9/82

✓854

IN THE MATTER OF THE ARBITRATION BETWEEN:

CITY OF WOODHAVEN

-and-

POLICE OFFICERS ASSOCIATION OF MICHIGAN

COMPULSORY ARBITRATION

Pursuant to Act 312, Michigan Public

Act of 1969, as amended.

OPINION AND AWARD

Arbitration Panel

Peter D. Jason
Arbitrator/Chairman

James A. Caygill
City Delegate

Marvin Dudzinski
Union Delegate

Dated: September 8, 1982

MICHIGAN STATE UNIVERSITY
LIBRARY AND INDUSTRIAL
RELATIONS LIBRARY

INTRODUCTION

These proceedings were commenced pursuant to Act 312 of the Public Acts of Michigan of 1969. The Arbitration Panel was comprised of the Chairman, Peter D. Jason; City Delegate, James A. Caygill; and POAM Delegate, Marvin Dudzinski.

A pre-hearing conference was held on July 7, 1982 and a hearing was held on August 23, 1982. The City of Woodhaven was represented by Daniel J. Andrews of the firm of Cozadd, Shangle, Smith & Andrews of Dearborn, Michigan. The Police Officers Association of Michigan was represented by Mr. William Birdseye, Treasurer of the POAM.

The parties agreed that all issues were economic.

BACKGROUND

The City of Woodhaven is located in South-eastern Michigan "downriver" from the city of Detroit. It has a total land area of 6.6 square miles and a population of approximately 11,000.

The Police Officers Association of Michigan (POAM) is the recognized exclusive bargaining representative of all the police officers in the city of Woodhaven below the rank of sergeant.

Pursuant to a collective bargaining agreement entered into between the parties on June 30, 1979 the Union had a right to reopen the contract to negotiate the pension plan. The Union exercised this right and negotiations commenced. The parties were unable to agree so Act 312 was invoked.

• At the pre-hearing conference held on July 7, 1982 the Chairman ordered the parties to exchange their factual data prior to the commencement of the formal hearing. After the parties had reviewed each others' data it was apparent to the Chairman that their ultimate last best offers would be similar. Therefore, with the encouragement of the Chairman the parties entered into meaningful negotiations and were able to reach a fair settlement of their dispute which the panel hereby adopts.

AWARD

Economic Issue #1

Pension - Normal Retirement Age

Section 1.14

"Normal Retirement" means with respect to an Employee in Participating Unit B termination of employment (other than by death) according to the following schedule:

- A. For the period of May 1, 1982 to April 30, 1983 after age sixty (60) and after at least ten (10) years of Credited Service.
- B. For the period of May 1, 1983 to April 30, 1984 after age fifty-five (55) and after at least ten (10) years of Credited Service.
- C. For the period of May 1, 1984 and thereafter after age fifty (50) and after at least ten (10) years of Credited Service.

Normal Retirement Age to be effective May 1, 1982

Economic Issue #2

Pension - Duty and Non-Duty Disability

Age/Credited Service

Section 1.16

"Duty Permanent and Total Disability Retirement" means with respect to an Employee in Participating Unit B termination of employment by reason of Permanent and Total Disability which results from causes arising in the course of his employment with the City and which occurs prior to the Normal Retirement Age according to the schedule set forth in Section 1.14.

Section 1.17

"Non-Duty Permanent Total Disability Retirement" means with respect to an Employee in Participating Unit B termination of employment after at least ten (10) years of Credited Service by reason of a Permanent and Total Disability which results from causes not arising in the course of his employment with the City and which occurs prior to the Normal Retirement Age according to the schedule set forth in Section 1.14.

Section 2.4

Duty Permanent and Total Disability Retirement Benefit:

An Employee whose employment with the City is terminated by reason of Duty Permanent and Total Disability Retirement shall be entitled to receive a monthly benefit, upon application therefor, equal to 50% of his Average Monthly Compensation. This monthly benefit shall be payable during continuance of said disability until the Employee attains Normal Retirement age (sixty-five (65) for an Employee in Participating Unit A and according to Section 1.14 for an Employee in Participating Unit B) at which time he shall be entitled to receive a Normal Retirement Benefit based on the benefit formula then in effect and his Credited Service (not in excess of thirty (30) years). Credited Service for such Normal Retirement Benefit shall be increased by the number of years from date of commencement of Duty Disability Retirement to date upon which he shall be entitled to receive a Normal Retirement Benefit.

Pension - Duty and Non-Duty Disability Age/Credited Service to be effective May 1, 1982.

Economic Issue #3

Pension - Multiplier Factor

Section 2.1

Normal Retirement Benefit:

For employees in Participating Unit B, whose employment with the City is terminated by reason of Normal Retirement shall be entitled to receive, upon application therefore, a monthly Normal Retirement Benefit equal to the product of his years of Credited Service, not in excess of thirty (30) years at retirement, and two percent (2%) of his Average Monthly Compensation.

Pension - Multiplier Factor to be effective May 1, 1982.

Economic Issue #4

Pension - Employee Defined Contribution

Section 10.2

Amount of Contribution:

An employee's contributions shall be deducted from his regular base pay by the City, and shall be in an amount to equal 2%, 5%, 7-1/2%, or 10% of base pay as the employee may elect.

Pension - Employee Defined Contribution to be effective May 1, 1983.

Economic Issue #5

Pension - Mandatory Employee Contribution

Section 10.9

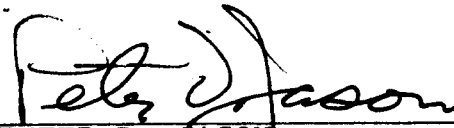
Mandatory Employee Contribution:


In addition to contributions which an employee in Participating Unit B may elect to make under this Article X, there shall be deducted from the regular base pay of each employee in Participating Unit B an amount equal to three percent (3%) of such regular base pay to be paid into the pension fund established under Section 5.1 of this plan. If an employee's service with the City terminates for any reason other than death or retirement, he may receive a refund in cash of the aggregate of his own contributions together with interest on such contributions as determined under Section 10.8 of this Article.

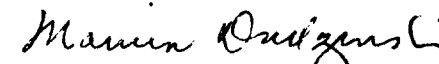
Pension - Mandatory Employee Contribution to be effective
October 1, 1982.

Dated: _____

9/13/82


PETER D. JASON
Arbitrator/Chairman


JAMES A. CAYGILL
City Delegate


MARVIN DUDZINSKI
Union Delegate