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ARB

BUENA VISTA CHARTER TOWNSHIP

STATE OF MICHIGAN  
DEPARTMENT OF LABOR

BUENA VISTA CHARTER TOWNSHIP  
(PATROLMEN UNIT)

-and-

ARBITRATION

TEAMSTER'S LOCAL 214  
LAW ENFORCEMENT DIVISION

LABOR AND INDUSTRIAL  
RELATIONS  
MICHIGAN STATE UNIVERSITY

OPINION AND ORDER OF ARBITRATION PANEL

These proceedings were commenced pursuant to the provisions of the Police-Firefighter Arbitration Act, being Act 312 of the Public Acts of 1969, as amended, of the State of Michigan, and this Opinion and Order are made and entered pursuant to the provisions of said Act 312, as amended.

This Opinion and Order is adopted as the Opinion and Order of the arbitration panel hearing this matter by those members affixing their signatures hereto at the end of this Opinion and Order.

On October 14, 1976, at 10:00 a.m., in the forenoon of said day, at the Ramada Inn, located in Saginaw, Michigan, the parties hereto and members of the arbitration panel met for a preliminary arbitration conference prior to the formal opening of the hearing. The arbitration panel consisted of Billy D. Mendenall, member appointed by Teamster's Local 214, Law Enforcement Division, Darrel D. Jacobs, Esq., member appointed by Buena Vista Charter Township and William H. Dance, Esq., appointed as Chairperson by the Michigan Employment Relations Commission.

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Dance, William H

Through diligent effort and serious, good-faith bargaining, before the record was formally opened, the parties arrived at a stipulated order with respect to fourteen (14) economic issues and five (5) non-economic issues. The stipulations of the parties covering these issues, are set forth in a mutual exhibit submitted jointly by the parties and marked Joint X-1, 10/15/76. The issues covered by the stipulated order are as follows:

ECONOMIC ITEMS

1. Number of Sick Days.
2. Payment for Sick Days on Termination.
3. Call in Pay.
4. Court Time.
5. Warrant Pay.
6. Holidays.
7. Holiday Pay.
8. Vacation.
9. Payment for Accrued Vacation on Termination.
10. Cleaning Allowance - Non Uniform.
11. Cleaning Allowance - Uniform.
12. Life Insurance.
13. Hospitalization.
14. Retroactivity.

NON-ECONOMIC ITEMS

1. Accumulation of Sick Days.
2. Subcontracting.

3. Lay Off and Recall.
4. Agency Shop and Dues Reduction.
5. Statements.

The record proper was opened on October 15, 1976 and the stipulation was placed thereon. See Joint X-1.

At the time of preparing this Opinion and Order, the transcript of proceedings has not been furnished to the panel by the transcriber-reporter, although same has been ordered. However, in view of the ability of the parties to come to an understanding relative to the numerous, complex issues mentioned above, the only issue remaining, concerning which real evidence and testimony were submitted, a record made and arguments heard pro and con, was the economic issue of wages.

With respect to the said economic issue of wages, the panel feels itself governed by the provisions of the said Police-Firefighters Arbitration Act, being Act 312, Public Acts of 1969, as amended, and specifically Sections 8 and 9 of said Act.

In accordance with the mandate of said Section 8, the arbitration panel identified the wage issue as the only economic issue in dispute, and the parties, then and there, namely on October 15, 1976, at said Ramada Inn did each submit it's last offer of settlement on said economic issue. At the same time, real evidence and testimony were submitted

by each party in advocacy of the panel adopting the particular party's last offer of settlement re the wage issue.

The last offer of each party with respect to the wage issue was submitted; the Township offer was marked Twnbsp. X-4 and the Union offer as Union X-2. These "last Offers" were very carefully studied and considered in the light of the applicable factors set forth in Section 9 of said Act and with due consideration of all evidence submitted by each party.

It should not go unnoticed or unmentioned that the evidence and arguments were well and ably presented by the representatives of the parties and said representatives are to be thanked and complimented for their thoroughness and obvious expertise, which was of significant benefit and assistance to the panel.

After a thorough consideration of the real evidence, testimony and applicable factors prescribed by Section 9 of the Act, it is the opinion of the undersigned members of the arbitration panel that the last offer of the Township of Buena Vista should be adopted as the Order of the panel on the economic issue of wages, which issue was submitted to said panel for it's determination in these proceedings.

#### ORDER

Based upon the above stated opinion it is the Order of the Arbitration Panel in these proceedings that the last offer of the Township of Buena Vista submitted in accordance

with Section 8 of Act 312, Public Acts of 1969, as amended,  
of the State of Michigan, a copy of which last offer is  
hereto attached, marked EXHIBIT A, and made a part hereof,  
be and the same hereby is adopted as the Order of this panel  
with respect to the wage issue submitted to it in these  
proceedings.

*William H. Dance*

WILLIAM H. DANCE, Chairperson

Dissent - *Billy D. Mendenall*

BILLY D. MENDENALL, Panel Member

*Darrel D. Jacobs*

DARREL D. JACOBS, Panel Member