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In the Matter of the Arbitration
Between
Village of Woodridge
and
Village of Woodridge Unit, Civil Service
Employees Association, Inc..

Case No.: CA0037: M75-185
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Panel's
Award and Opinion

The Public Arbitration Panel (hereinafter referred to as the "Panel"), composed of Earl Bivins, Employee Appointee, Harry Wasserman, Employer Appointee, and Albert Heller, Chairman, was appointed in accordance with the Authority and the Procedures of the New York State Public Employment Relations Board to make a Just and Reasonable Award after holding a hearing which makes an inquiry into the reasons for the continued impasse between the Village of Woodridge (hereinafter referred to as the "Village") and the Village of Woodridge Unit, CSEA (hereinafter referred to as the "Unit").

The Arbitration Hearing was held on Sept. 30, 1975 at the Village Hall, Woodridge, N.Y. at which time the Parties presented all evidence and the Hearing was closed on Sept. 30, 1975.

The Panel met in Executive Session on Sept. 30, 1975. After consideration of all the Evidence, Facts, Exhibits and Documents presented, the following is the Panel's Award.

Appearances:

For the Village:

Richard A. Newburg, Esq.
Sol Prottas, Mayor
Murray Denenberg, Administrator
Jan Lachman, Treasurer

For the Civil Service Employees
Association Unit:

George S. Sinko, Field Rep.
Thomas Nucifora, Patrolman

In General:

1. The Dispute is concerned with the continuing Impasse between the Village and the Unit for a Contract to take effect on August 1, 1975 and terminating at 11:59 P.M. July 31, 1976.

2. The issues at impasse were submitted to Fact-Finding. Mr. Edward D. Depew, Fact-Finder, issued a Report and Recommendations on June 17, 1975 which resulted in resolving two of the four items submitted to the Fact-Finder, and while the Unit accepted the remaining two items, the Village rejected the Fact-Finder's Recommendations on these items of Salaries and Uniform Allowance for Police. Therefore, on Sept. 5, 1975, the Public Employment Relations Board appointed a three member Public Arbitration Panel authorized by Sec. 209.4 of the Civil Service Law.

3. The Parties at the Arbitration Hearing submitted the following two issues at Impasse:

A. Salaries

B. Patrolmen's Uniform Allowance

The Parties, prior to presentation of the merits on the issues, jointly resolved and agreed to the Fact-Finder's Recommendation concerning Patrolmen's Uniform Allowance. Thus, all items except Salaries for Patrolmen are resolved by the Parties.

4. The "Position" of the Parties is intended to reflect a summary of the Parties' positions and is not intended to be all inclusive. The "Discussion" of the Panel is intended to reflect some of the significant evaluating factors used in the Award and is not intended to be all inclusive.

5. The Panel, having considered all of the Exhibits, Testimony, Evidence and Facts offered by the Parties and after giving consideration and evaluating the materials presented by the Parties, makes the following report containing it's Award.

Pertinent Sections of Fact-Finder's Report: Edward D. Depew, Fact-Finder dated June 17, 1975

Patrolmen's Salaries - The Fact-Finder recommends that the Unit proposed Rates for Patrolmen (\$7200 starting salary increasing to \$7400 after one year of service) be included in the new one year Agreement.

Pertinent Civil Service Law: Section 209.4

(v) the public arbitration panel shall make a just and reasonable determination of the matters in dispute. In arriving at such determination, the panel may, but shall not be bound to, adopt any recommendation made by the fact-finder, and shall, so far as it deems them applicable, take into consideration the following and any other relevant circumstances:

a. 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 or requiring similar skills under similar working conditions and with other employees generally in public and private employment in comparable communities.

b. the interests and welfare of the public and the financial ability of the public employer to pay;

c. comparison of peculiarities in regard to other trades or professions, including specifically, (1) hazards of employment; (2) physical qualifications; (3) educational qualifications; (4) mental qualifications; (5) job training and skills;

d. such other factors which are normally or traditionally taken into consideration in the determination of wages, hours and conditions of employment.

Position of the Parties:

The Unit requests acceptance of the Fact-Finder's Recommendation, increasing starting Salary of Patrolman to \$7200 and after one year of service to \$7400 effective August 1, 1975. The Unit supports it's position based upon comparable rates paid to Public Work Employees employed by the Village and indicating that neighboring community rates were generally substantially higher than were herein proposed.

The Village offer was to continue the same Salary currently existent with a "Cost of Living Index" increase determined at 9.7% of Base Salary. The Village cited it's economic condition, it's debt situation, and it's continuing decrease in Assessed Valuation of Property over the past period of time.

Discussion:

The Panel agrees that the Fact-Finder's Findings are consistent with the facts and equitable. However, evidence offered before this Panel does indicate, especially in view of the fact that two Patrolmen (Temporaries) are funded by Federal Funds which have at this point been removed and are being paid by Village funds, additionally that the Village does have economic difficulty. However, it has also been determined and presented by the Parties that on behalf of the Unit, a lesser sum than has been proposed and also recommended by the Fact-Finder would be acceptable and that on behalf of the Village an increase in the Salaries less than that which has been proposed and recommended would be acceptable. Therefore, the Panel awards as follows:

that retroactive to August 1, 1975, the starting Salary for Patrolmen shall be \$7075 per year, that the Salary after one year of service shall be \$7285, and additionally that a Cost of Living factor of 9.7% shall be added but using the old Salary Base in calculating the additional money (1st year Patrolmen $\$6950 \times .097 = \674.15 or \$675, one or more years of service $\$7170 \times .097 = \695.49 or \$695) to be included in the Salary.

* Denotes correction of Base Figure originally presented during the Hearing on all attached documents.

Award:

The Public Arbitration Panel makes the following Award.

Salaries for Patrolmen of the Village of Woodridge shall be set as follows:

1. Starting Patrolman \$7075 per year
One or more years service Patrolman \$7285 per year

2. A Cost of Living Factor of 9.7% additional money shall be paid as follows:

- A. Starting Patrolmen at \$6950 per yr or \$675
- B. One or more years service Patrolman \$7170 per yr or \$695

3. The wage portion of the Agreement concerning Patrolmen shall be part of the current new one year Agreement.

Wage offer - 30 Sept 75

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7113* x 9.7 = 690 ACCEPTING FOR THE VILLAGE:
6950 x 9.7 = 675

Richard Newhey

New Base

S 7075 + 125

T 7256 + 144

ACCEPTING FOR THE CSEA:

George S. Senko

CONCERNING THE BOARD OF ARBITRATION:

Earl D. B. Min

C.S.E.A County Chapter Pres

Harry Wasserman, Employer Panel Member

Albert Heller, CHAIRMAN

| | | |
|----------|-------|------|
| CPI | 690 | 675 |
| Rebate | 144 | 125 |
| Old Base | 7113* | 6950 |
| Total | 7947 | 7750 |

Pay Periods

(2w)

(hr)

$7947 \div 24 = 331 \div 80 = 413 \text{ Per hr}$

$7750 \div 24 = 323 \div 80 = 403 \text{ Per hr}$

THIS BOARD OF ARBITRATION IN UNANIMOUS DECISION WITH THE ~~JUD~~ ACCEPTANCE OF BOTH PARTIES RULES AS FOLLOWS ON WAGES

1. THE BASE SALARY FOR PATROLMAN EFFECTIVE AUG 1, 1975 SHALL BE FOR 1ST YEAR \$7,075

2ND YEAR 7,256

2. THE CPI INCREASE SHALL BE AN INCREASE OF 9.7% AS

FOLLOWS

1. ON A 1ST YEAR PATROLMAN AT \$6950

2ND YEAR PATROLMAN AT \$7113*

THIS WAGE PORTION OF THE AGREEMENT SHALL BE PART OF THE CURRENT 1 YEAR AGREEMENT.