

STATE OF NEW YORK
PUBLIC EMPLOYMENT RELATIONS BOARD

: In the Matter of Arbitration Between :
:
: CITY OF KINGSTON :
:
: and :
:
: KINGSTON PROFESSIONAL FIRE FIGHTERS :
: Local 461 :
:

Case CA-0093; M75-960

APPEARANCES:

For the City of Kingston

Hon. Francis R. J. Koenig, Mayor

Mr. Francis H. Law, City Treasurer

Mr. Andrew J. Gilday, Corporation Counsel
of Kingston, New York

For the Kingston Professional
Fire Fighters, Local 461

Mr. Harry Hornbeck, President

Mr. S. James Matthews, Attorney for
Fire Fighters, Local 461

Before: Edwin F. Radel, Employer Designee

John Przekop, Fire Fighters Designee

Sumner Shapiro, Impartial Chairman

I. On June 14, 1976, the New York State Public Relations Board determined that a dispute existed in negotiations between the City of Kingston, New York, hereinafter referred to as the Employer, and the Kingston Professional Fire Fighters, Local 461, hereinafter referred to as the Union or the Fire Fighters, and pursuant to the provisions of Section 209.4 of the New York Civil Service Law, designated a Public Arbitration Panel for the purpose of making a just and reasonable determination of the dispute.

On November 12, 1976, at the City Hall in Kingston, New York, a hearing was held before the panel in the course of which the parties were afforded the opportunity of presenting statements of fact, both oral and written, and supporting testimony and arguments in support of their respective positions. ^u ~~Both~~ post hearing briefs were received by the panel, ^u on November 26 in behalf of the City of Kingston, and on December 3, 1976, on behalf of the Fire Fighters.

The panel met in Executive Session on December 13, 1976, and considered all evidence, facts, testimonies, exhibits and the like in its deliberations. In arriving at its award, the panel considered the Fact-Finder's recommendations, prevailing wages, hours and terms of employment in comparable public service, and the Employer's ability to pay.

At the request of the parties, the panel is omitting from the present document the conventional summary of positions and a formal statement of its opinion, and is proceeding directly to the terms of the award.

II. AWARD

a) Length of Contract

The contract shall be a two-year agreement, the first year taking effect on January 1, 1976, and expiring December 31, 1976. The second year effective date shall be January 1, 1977, with expiration on December 31, 1977.

b) Salary

Effective January 1, 1976 (retroactively), all salaried positions within the purview of the agreement between the parties shall receive a salary increase of \$900.00 per annum. Effective January 1, 1977, all salaried positions within the purview of the agreement between the parties shall receive a salary increase of \$250.00 per annum.

c) Effective January 1, 1977, overtime payments shall be at the rate of 1.5 X (times) straight-time rate.

d) Effective November 1, 1977, the 20-year Retirement Plan shall be made available to Fire Fighters.

e) Effective January 1, 1977, the differential between Fire-Fighter and Lieutenant ranks shall become \$1,000.00 per annum.

f) Effective January 1, 1977, the differential between Lieutenant and Captain ranks shall become \$750.00 per annum.

The differentials between Captain and Deputy Chief ranks - and Deputy Chief and Chief ranks, respectively, shall remain unchanged.

g) Effective January 1, 1977, bargaining unit personnel shall be provided with one EKG annually at the Employer's expense, but the contract shall provide that each individual shall submit

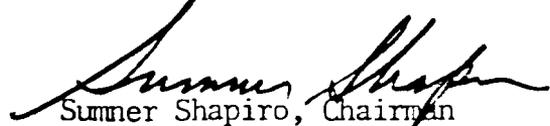
to said examination on off-duty time.

- h) The Employer shall not be required to recall a substitute where less than four (4) hours remain in a shift (Fact-Finder Report and Recommendation 4).
- i) The Union demand for a minimum four (4) hour recall pay is denied.
- j) The Union demand for additional vacation is denied.
- k) The Union demand for Dental Plan improvements is denied.
- l) Effective January 1, 1976, the sixth step salary schedule shall be replaced with a five-step schedule.
- m) Effective January 1, 1976, the \$25.00 longevity increments shall be increased to \$100.00 at each step.
- n) Effective January 1, 1977, the City shall seek approval of the Common Council for a death benefit under General Municipal Law, Section 208-b, and shall proceed to implement same at the earliest practicable date thereafter.
- o) The Union request for paid tuition for college Fire-Fighting courses is denied.
- p) The Union request for additional compensation where fewer than eighteen (18) men are on duty simultaneously during any shift is denied.

The foregoing represent the panel's determinations on all issues submitted by the parties. The panel acknowledges with gratitude the thorough and articulate submissions of the parties and the Fact-Finder which provided indispensable aid in the

formulation of this award.

Respectfully submitted,



Summer Shapiro, Chairman
for the State of New York
Public Employment Relations Board

Dated: December 14, 1976

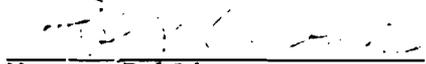
Edwin F. Radel, Employer Designee, Concurring



John Przekop, Fire Fighters Designee, Concurring

State of New York))
County of Albany) ss.:

On this 14th day of December, 1976, before me personally came and appeared Summer Shapiro to me known and known to me to be the individual who executed the foregoing instrument and he acknowledged to me that he executed same.


Notary Public

