

State of New York  
Public Employment Relations Board

STATE PUBLIC EMPLOYMENT  
RELATIONS BOARD  
RECEIVED  
AUG 24 1981

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In the Matter of the Arbitration

Between : OPINION AND AWARD OF PUBLIC  
TOWN OF EASTCHESTER : ARBITRATION PANEL:  
And : Jonathan S. Liebowitz, Esq.,  
LOCAL 456, INTERNATIONAL BROTHER- : Chairman and Public Member  
HOOD OF TEAMSTERS : Howard Spitz, Esq., Employer  
 : Member  
Case No. IA80-51; M80-542 : Arthur Revellese, Employee  
-----X Organization Member

This case having duly come on before the undersigned duly designated members of the Public Arbitration Panel pursuant to the provisions of §209.4 of the Civil Service Law (the Taylor Law), to be heard on July 16, 1981, at Eastchester, New York, and the members of the Panel having been present, and Dr. Charles J. Ganim, President of Value Management Consultants, Inc. having appeared for the Town, and Brian M. Lucyk, Esq., of Lucyk and Cohan, Esqs., having appeared for the Union, and the parties having met at said hearing and having advised the Panel that they had reached agreement on all issues outstanding in this collective negotiations impasse, with the exception of the revised vacation schedule for sergeants, and having requested that the Panel incorporate the terms of their agreement in an award, and the members of the Panel being satisfied that it is fair and in the interests of both parties to do so, the Panel will, and hereby does, award those stipulated terms of settlement as appears in Paragraphs 1 through 5 below. The issue of revised vacation schedule for sergeants in the bargaining unit is resolved as follows.

Sergeants' Vacation Schedule

As part of the stipulated agreement, employees covered by the contract will go from their present schedule to 25 working days' vacation annually after 10 years of service, to take effect at 11:59 P.M. on December 31, 1982. For police officers, this will represent a change from 20 working days' to 25 working days' vacation. However, sergeants presently receive 23 working days' vacation after 10 years of service. The Union contends that their vacation should be increased to 28 working days. The Town contends that it should be no more than 25 working days. The statutory criterion relied upon by both parties is comparability (§209 (4) (c) (v) (a)). A comparability chart submitted in evidence shows that in general, sergeants do not receive more vacation days than police officers in the departments in Westchester County. While they have received three additional vacation days at the level in question in this bargaining unit, in view of the general lack of the benefit sought by the Union in surrounding areas, and of the fact that the sergeants will get additional days as part of this award as compared to what they enjoyed in the past, in the opinion of the panel, Member Revellese dissenting, the fact that they will not receive more vacation days than police officers is not persuasive.

Dissent by Member Revellesse: I dissent as to the award on sergeants' vacations because I believe that they should continue to receive more vacation days after ten years of service than do police officers, as was the case under the expired contract.

Award

1. The term of the contract shall be January 1, 1981 - December 31, 1982. All terms of this award shall be effective January 1, 1981, unless otherwise specified in this award.

2. The provisions of the expired agreement, entered into September 4, 1980, and effective from January 1, 1979 to December 31, 1980, shall continue in effect except as modified herein.

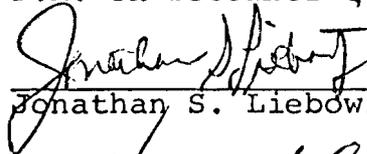
3. For all bargaining unit members, salaries shall be increased 8% across the board effective January 1, 1981, and 7% across the board effective January 1, 1982, and 2% across the board effective July 1, 1982. Each increase shall be over the salary in effect immediately prior thereto.

4. The Town will contribute to the Teamsters' Welfare Fund a flat amount of \$150 per employee, to be paid annually.

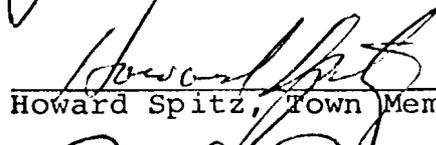
5. The current dental plan shall be continued in effect except that the Town will pay 75% of the cost of premiums, and the employees 25%, for individual and family coverage.

6. All bargaining unit members will go from their present schedule to 25 working days' vacation per year after 10 years of service, to take effect at 11:59 P.M. on December 31, 1982.

Dated: August 21, 1981



Jonathan S. Liebowitz, Chairman



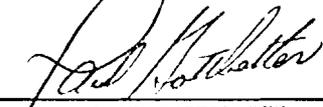
Howard Spitz, Town Member



Arthur Revellesse, Union Member  
(Dissenting in part)

STATE OF NEW YORK            )  
  ss:  
COUNTY OF WESTCHESTER    )

On this 21st day of August, 1981, before me personally came and appeared Jonathan S. Liebowitz, Howard Spitz and Arthur Revellese, to me known and known to me to be the individuals described in and who executed the foregoing instrument and they acknowledged to me that they executed the same.



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PAUL GOTTBETER  
Notary Public, State of New York  
No. 60-1518600  
Qualified in Westchester County  
Commission Expires March 29, 1983