

IN THE MATTER OF:  
PERB CASE NO. M2010-174

TOWN OF BARKER  
-and-  
TEAMSTERS LOCAL 693

FACT-FINDING REPORT

-HISTORY-

The Teamsters Local 693 (hereinafter known as the Union) is the duly recognized bargaining agent and consists of five civil service employees who are employed by the Town of Barker (hereinafter known as the Town”).

Though all terms and conditions of employment go forward, as prescribed by law, the three year agreement between the Town and the Union expired on December 31, 2010.

The Town and the Union conducted three negotiation sessions (September 1; September 8; and October 18,2010) in an attempt to reach agreement on a successor collective bargaining agreement, but were not successful.

At the final negotiation session, the parties filed a Joint Declaration of Impasse with The Public Employment Relations Board.

Sometime thereafter a mediation session was conducted with both parties in attendance but, there was no agreement. As a result, the Town, on December 31<sup>st</sup>, requested the Public Employment Relations Board to assign a Fact Finder.

A Fact-Finding hearing was conducted on March 4, 2011. The parties were unable to reach agreement.

By agreement, the briefs from the parties to the Fact Finder and opposing side were to be postmarked no later than March 24, 2011 and were to be limited in scope to matters related to health insurance, wages and duration.

For comparative purposes, the Town and the Union agreed to use contracts from the Towns of Binghamton, Lisle, Nanticoke, Triangle, Colesville, and Windsor. In each contract the employees were represented by Teamsters Local 693.

Briefs were received in a timely fashion. The following are the recommendations of the Fact Finder appointed by the Public Employment Relations Board in this matter.

-RECOMMENDATIONS OF THE FACT-FINDER-

Issue No. 1: Health Insurance

Currently, the Town provides Health Insurance for all bargaining unit members under the N.Y.S. Teamsters Health and Hospital Component Plan (hereinafter known as the “Component Plan”).

The Town requests that it be allowed to change the insurance carrier and/or offer an alternative plan, provided that the alternative plan’s benefit structure and provider network are substantially equivalent to the current plan.

Currently, bargaining unit members contribute 13% of the annual premium while the Town contributes the remaining 87%.

The contribution levels of the comparative towns are listed below.

TOWN	HEALTH INSURANCE	‘EE. CONTR.	DURATION
Binghamton	Teamsters Supreme	12.5%	1/1/09 - 12/31/11
Lisle	Teamsters Supreme	10.0 %	1/1/06 - 12/31/10
Nanticoke	Teamsters Supreme	0.0%	1/1/08 - 12/31/10
Triangle	Teamsters Supreme	2.0%	1/1/10 - 12/31/12
Colesville	Town	0.0%	1/1/08 - 12/31/10
Windsor	Teamsters Supreme	\$40/week	1/1/11 - 12/31/13

As evidenced above, the unit member contribution of 13% is higher than any of the comparative contracts.

The Union has indicated that it would be willing to consider an alternate plan and has suggested N.Y.S. Teamsters Health and Hospital Composite Plan (hereinafter known as the “Composite Plan”).

The total monthly and yearly premiums under the Component Plan are \$7981.60 and \$95,779.20, respectively. Under the Composite Plan, the total monthly and yearly premiums are \$7,016.75 and \$84,093.00, thus:

Component Plan	Composite Plan	Difference
\$95,779.20	\$84,093	\$11, 686.20

As the Town is responsible for 87% of the total annual premiums, their savings would be \$9,933.27 annually.

While it is too late to recognize a full year (2011) savings, should the parties agree to move from the Component Plan to the Composite Plan immediately, the Town’s savings would be approximately \$7500.00 for the year 2011.

It is the recommendation of the Fact Finder that the parties agree to provide health Insurance coverage under the aforementioned Composite Plan as soon as possible.

ISSUE No. 2: Wages

The Union is requesting a three year contract with wage increases of 5% each year.

The Town on the other hand, has offered to pay each unit member a lump sum of \$750.00 for the year 2011. This is equal to approximately 2% of the base hourly rate of pay as of December 31,2010. In addition, the Town has offered a 2% increase of the base hourly rate of pay for the year 2011 in exchange for any future longevity payments. Finally, the parties would reopen negotiations on or before September 15, 2011 for the sole purpose of negotiating compensation for the period January 1, 2013 through December 31, 2013.

It is the recommendation of the Fact Finder that the Town give recognition to the Union's offer to move from the current Component Plan to the Composite Health Plan and the Union give recognition to the fiscal responsibilities and limitations of the Town, and agree to a 2% increase of the annual base hourly rate of pay for the year 2011 and the year 2012 retroactive to January 1, 2011.

ISSUE No. 3: Duration

It is the recommendation of the Fact Finder that the agreement between the parties shall be January 1,2011 through December 31, 2012.

Respectfully Submitted By:

John M. Callahan  
Fact Finder  
March 29, 2011