

N.Y.S. PUBLIC EMPLOYMENT
RELATIONS BOARD
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MAR 28 1977

STATE OF NEW YORK

PUBLIC EMPLOYMENT RELATIONS BOARD

CONCILIATION

In the Matter of the Arbitration

N.Y.S. P.E.R.B.

between

Case No: CA-0120
M76-655

City of Lockport

and

ARBITRATION AWARD

Lockport Professional Firefighters
Association

The Law

Pursuant to Section 209.4 of the Civil Service Law of the State of New York, the undersigned members of the Tripartite Public Arbitration Panel, having been duly selected under statutory procedure, are hereby charged to render the following Arbitration Award.

The Public Arbitration Panel

James A. Sharp, Chairman (P.E.R.B. - appointee)
Kenneth F. Anderson, Member (Employer Representative)
Jacob A. Palillo, Member (Employee Representative)

Appearances

Bernard E. Stack, Esq. for Lockport Firefighters Association
Richard H. Wyssling, Esq. for City of Lockport
Robert T. Richards, Dir. of Planning & Budget for City of
Lockport

The Opinion

Pursuant to the authority granted under Section 209.4 of the Civil Service Law, this Panel of Arbitration conducted a hearing in the City of Lockport on March 10, 1977 and then met in executive session on March 24, 1977 for the purpose of making this final and binding determination award.

This hearing was conducted under the established rules and procedures of arbitration and both of the parties had the opportunity to submit testimony under oath, furnish documentary evidence, and introduce and cross-examine opposing witnesses.

During the opening statements and presentation of evidence, it was clearly understood and established that the Lockport Professional Firefighters Association did accept the Fact-Finder's Recommendation Report in total and so published their acceptance of this Report. (Dated December 17, 1976)

The City's position at this time was to agree with all of the Fact-Finder's Recommendations with one exception, and that was the issue on salaries.

Thereby, by joint stipulation, the only issue in dispute to be heard by the Arbitration Panel was the matter of wages, and designated to include: (1) wage increases (2) rank differential and (3) step reduction (as those embodied in union demand #28).

All other issues as recommended by the Fact-Finder

were recognized as accepted by both parties and the Panel.

Background

The Public Arbitration Panel gave full consideration to the Report and Recommendation of the Fact-Finder; the evidence, submissions and exhibits of both parties as well as the matter of comparability, the interest and welfare of the public, and the City's ability to pay.

Further, after the examination and study of the findings and proposals of the individual members of this Panel, it is concluded that the Fact-Finder's Recommendation on wages, rank differentials, and step reduction be accepted as a basis of settlement of this dispute.

The Award

That the entry step for firefighters and the highest step be increased by 6 1/2%; that the number of steps to the highest step be reduced from five to four; and that the same percentage differential be maintained for officers; so that the 1976 Schedule would be amended for 1977 to read as follows, effective January 1, 1977:

Firefighters.

First year - starting salary	\$ 9,542
Following completion of one (1) Yr. service as of January 1, 1977	\$10,437
Following completion of two (2) Yr. service as of January 1, 1977	\$11,332
Following completion of three (3) Yr. service as of January 1, 1977	\$12,226
Following completion of four (4) Yr. service as of January 1, 1977	\$13,120
<u>Lieutenants</u>	\$13,748
<u>Captains & Asst. Superintendent of Fire Alarms</u>	\$14,493
<u>Supt. of Fire Alarms and Supt. of Fire Prevention</u>	\$16,372
<u>Asst. Chief</u>	\$16,585

Conclusion

This Public Arbitration Panel acting under the Statutory Provisions Applicable to Compulsory, Interest Arbitration pursuant to Civil Service Law, Section 209-4 hereby renders this Award by majority vote of the members of the Panel.

The record, therefore, states that, Kenneth F. Anderson, the panel designee for the City of Lockport cast the

And Further, All other agreement in the previous and existing contract Not touched by this document will remain in force.

J.P. 3/24/77

OK - SFA 3/24/77

P.A.S. 3/24/77

dissenting vote against this Award.

Respectfully submitted,

James A. Sharp
James A. Sharp
Public Panel Member &
Chairman

Dated: March 30, 1977
Jamestown, NY
Buffalo,

State of New York)SS:
County of ~~Chautauque~~
ERIE

On this 24 day of MAR., 1977, before me
personally came and appeared

JAMES A. SHARP

to me known and known to me to be the individual described
herein and who executed the foregoing instrument and he ac-
knowledged to me that he executed the same.

Susan M. Buti
NOTARY PUBLIC

SUSAN M. BUTI
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1979

Dated:

Lockport, NY
Buffalo,

Kenneth F. Anderson
Kenneth F. Anderson
City Panel Designee

State of New York) SS:
County of ~~Niagara~~ ^{ERIE}

On this 24 day of MAR., 1977, before me
personally came and appeared

KENNETH F. ANDERSON

to me known and known to me to be the individual described
herein and who executed the foregoing instrument and he ac-
knowledged to me that he executed the same.

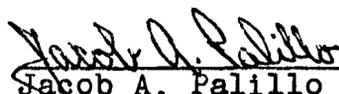
Susan M. Buti
NOTARY PUBLIC

SUSAN M. BUTI
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1979

Dated:

~~Niagara Falls, NY~~

Buffalo



Jacob A. Palillo
Firefighter's Panel
Designee

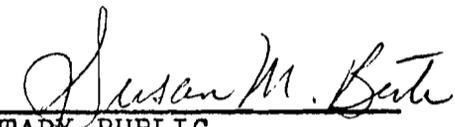
State of New York)SS:
County of ~~Niagara~~

ERIE

On this 24 day of MARCH, 1977, before me
personally came and appeared

JACOB A. PALILLO

to me known and known to me to be the individual described
herein and who executed the foregoing instrument and he
acknowledged to me that he executed the same.



NOTARY PUBLIC

SUSAN M. BUTI
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1979