

NEW YORK STATE
PUBLIC EMPLOYMENT RELATIONS BOARD

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In the Matter of the Compulsory Interest
Arbitration Between

CONCURRENCE

CITY OF HORNELL

-and-

HORNELL POLICE ASSOCIATION

PERB CASE NO.: IA87-4; M86-545

PUBLIC PANEL MEMBER AND CHAIRMAN:

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BACKGROUND

The New York State Public Employment Relations Board having determined that a dispute exists between the City of Hornell and the Hornell Police Association appointed, pursuant to the provisions of the Civil Service Law, Section 209.4, a public arbitration panel for the purpose of inquiring into the issues in dispute and for the further purpose of making a just and reasonable determination of said issues.

A hearing was held in the City of Hornell on Friday, July 24, 1987. Appearing on behalf of the City of Hornell was Labor Relations Consultant, Michael S. Lewandowski, and on behalf of the Hornell Police Association was Labor Relations Consultant, Jack Schamel. The parties were accorded a full and fair opportunity to present oral and documentary evidence, to summon witnesses and to engage in their examination and cross-examination. The hearing was concluded on Friday, July 24, 1987, and there being no further oral or written evidence to be submitted to this panel, the record was closed.

This Panel asked for and received evidence concerning the comparison of 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; the interest and the welfare of the public and the financial ability of the public employer to pay; a comparison of the peculiarities of the profession in regard to other trades or professions, including specifically, (1) hazards of employment; (2) physical qualifications; (3) educational qualification; (4) mental qualifications; (5) job training and skills; and lastly, (6) the terms of the collective agreements negotiated between the parties in the past.

The City of Hornell and Hornell Police Association are signatories to a collectively negotiated agreement covering the period April 1, 1984, to March 31, 1987. On Friday July 24, 1987, the parties advised this Panel that the one remaining issue to be resolved was for this Panel to make a determination regarding salaries.

The department employs approximately 17-20 police officers. The salary schedules for the 1984-87 years were as follows:

<u>Steps</u>	<u>1984-85</u>	<u>1985-86</u>	<u>1986-87</u>
starting	15,685	16,626	17,457
1	16,405	17,389	18,258
2	17,388	18,431	19,353
3	18,109	19,196	20,156
4	18,960	20,098	21,103
5	19,655	20,834	21,876
10	20,441	21,667	22,770
15	20,965	22,223	23,334
Sergeant	22,276	23,613	24,794

The City of Hornell's last and final offer for a resolution of this dispute is as follows:

(1) First year of agreement \$600 lump sum payment not added to base.

(2) Second year of agreement 6 percent salary increase added to base.

The Police Association's last and final offer of settlement is as follows:

First six months of contract 3 percent;

Second six months an additional 3 percent;

Second year of agreement 8 percent.

The City offered statistical information to support their claim that the salaries paid to their police officers have kept up with inflation. For example:

1987 Salary Schedule Maximum - Patrolmen -	\$23,334
1983 Salary Schedule Maximum - Patrolmen -	<u>\$18,661</u>
	\$ 4,673

This represents an unadjusted salary growth of 25 percent

December, 1986 Consumer Price Index - Buffalo - 296.1
Urban wage earners and clerical workers

April, 1983 Consumer Price Index - Buffalo - 278.4
Urban wage earners and clerical workers
17.7

This represents a growth in the CPI of 6 percent.

The net true adjusted growth in salaries during this period was 19 percent.

The City also argues that their department is paid above the average police officer working in a comparable community.

The following data was submitted for this Panel's consideration:

Patrolman Salary Schedules 1987:

City of Hornell: Minimum	\$17,457	Maximum	\$23,334
Report Averages:	\$17,326		\$22,121

Sergeant Salary Maximum 1987:

City of Hornell:	\$24,794
Report Averages:	\$23,770

Amount Hornell exceed the average - \$1,024

Percent Hornell exceeds the average - 4.3%

The City points out that the offer made to the Department is comparable with settlements of other City agencies. For example, the Fire Department settled for a \$600 lump-sum payment; 6 percent in the second year and 7 percent in the third year; the Department of Public Works -- \$500 lump-sum payment, 5 percent in the second year and 5 percent in the third year; City Building employees -- \$500 lump sum, 5 percent in the second year and 5 percent in the third year; and the Waste Water Plant employees -- \$500 lump sum, 4 percent in the second year and 5 percent the third year.

The Association submitted statistical data that a police officer's workload is expected to increase through 1987 by 134.6 percent as compared to 1986. The data submitted by the Association suggests that felony, misdemeanor and violation arrests will increase some 18 percent for 1987 over 1986. The

Association submitted further statistical charts to demonstrate that although productivity is anticipated to increase the manpower has decreased from approximately 20 police officers in 1985 to some 16-17 police officers for 1987. According to the Association, the City expects less police officers to do more work in the next 12 to 24 months.

The Association also submitted salary comparison charts comparing a patrolman's salary with the communities of Corning, Jamestown, Elmira, Bath, Horseheads, Endicott, Binghamton, Ithaca, Lockport, and Lackawanna. For example, a third year patrolman's salary compares to said communities as follows:

Corning	+3,678
Jamestown	+1,224
Elmira	+1,236
Bath	-1,233
Horseheads	+4,925
Endicott	+4,672
Binghamton	+4,317
Ithaca	+6,503
Lockport	+5,283
Lackawanna	+4,708

DISCUSSION

This Panel in arriving at its decision has reviewed and discussed in executive session, the statistical data submitted as well as the ability of the City of Hornell to pay for any salary increases awarded by this Panel. Total salary costs to the City without considering fringe benefits amounts to

\$394,446. The City has not argued an inability to pay, but rather is concerned with escalating costs in the face of a decrease in Federal revenue sharing.

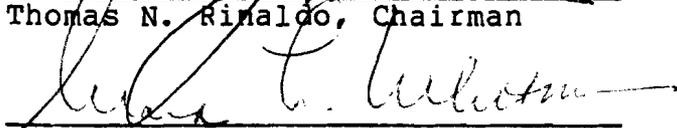
This Panel recognizes the difficulties and demanding daily responsibilities that a police officer faces. The safety of the community is dependent on a well-trained, efficient Police Department. Because the City has fairly compensated their patrolmen in the past their attrition rate is almost nil. A reasonable salary increase will, in our opinion, continue the good relationship that has existed between the parties in the past and maintain the quality police officer the City has been able to attract and keep. We, therefore, make the following award.

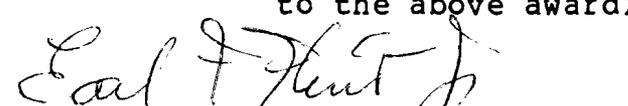
AWARD

For the April 1, 1987, through March 31, 1988, the first year of the contract, a salary increase of 4 percent added to base -- said salary increase is to paid retroactively.

For the second year April 1, 1988, through March 31, 1989, a 6 percent salary increase.


Thomas N. Rinaldo, Chairman


Mark Whitman (~~Consents~~--Dissents
to the above award)


Earl Flint, Jr. (~~Consents~~--Dissents
to the above award)

