

**ILLINOIS LABOR RELATIONS BOARD
BEFORE ARBITRATOR ROBERT PERKOVICH**

**In the Matter of an
Interest Arbitration between**

County of Madison/Madison County Sheriff)	
)	
and)	#S-MA-09-095
)	
Policemens' Benevolent and Protection)	
Association Labor Committee)	

INTEREST ARBITRATION OPINION AND AWARD

A hearing was held on November 18, 2009 in Edwardsville, Illinois before Arbitrator Robert Perkovich who was jointly selected to serve as such by the parties, County of Madison and Madison County Sheriff ("Employer") and Policemens' Benevolent and Protective Association Labor Committee ("Union"). The Employer was represented by its counsel, John Gilbert, and the Union was represented by its counsel, Sean Smoot, and its Business Representative, Eric Poertner. The parties did not file post-hearing briefs.

ISSUES PRESENTED

The issues before the Arbitrator are as follows:

1. Wages
2. Pregnant Officers
3. Court Security Officers
4. Vacations
5. Sick Leave
6. Clothing Allowance
7. Merit Board
8. Grievance Procedure
9. Holidays

BACKGROUND

The contract that is the focus of this instant interest arbitration is that between the parties for the period December 1, 2008 and November 30, 2011.

DISCUSSION AND AWARD

Based on the evidence submitted by the parties and their stipulations, I find as follows:

a. Wages

The Union's final offer of retroactive wage increases in the amount of 3% for three years beginning December 1, 2008 through December 1, 2011 is adopted.

Moreover, the parties' tentative agreement that employees acting as Field Training Officers shall be paid at the rate of the next highest rank during the FTO period and that employees acting as Field Training Officers shall be appointed at the sole discretion of the Sheriff is adopted.

b. Pregnant Officers

The parties' tentative agreement that the Employer will abide by 775 ILCS 5/2-102 with regard to the reassignment of Pregnant Officers is adopted.

c. Court Security Officers

The parties' tentative agreement that the Employer will not replace a Deputy assigned to the Court House with a court security officer is adopted.

d. Vacations

The parties' tentative agreement that after one year of employment employees shall be granted eighty (80) hours of vacation, that after five years of employment employees shall be granted one hundred twenty hours of vacation, that after ten years of employment employees shall be granted one hundred sixty hours of vacation, and that after twenty years of employment employees shall be granted two hundred hours of vacation is adopted.

e. Clothing Allowance

The parties' tentative agreement that console operators should receive the same contractual clothing allowance as all commissioned, uniformed jail deputy sheriffs and telecommunicators is adopted.

f. Merit Board

The parties' tentative agreement that any conflicts between the collective bargaining agreement and the rules and regulations of the Sheriff's Department Merit Commission shall be resolved in favor of the collective bargaining agreement is adopted.

g. Grievance Procedure

The parties' tentative agreement that the parties' shall obtain a list of seven (7) arbitrators obtained from the Illinois Labor Relations Board rather than the Federal Mediation and Conciliation Service is adopted.

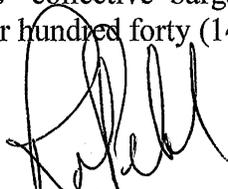
h. Holidays

The parties' tentative agreement that New Year's Day of January 1, 2009, January 1, 2010, and January 1, 2011; that Dr. Martin Luther King's Jr. Day of January 19, 2009, January 18, 2010, and January 17, 2011; that President's Day of February 15, 2010 and February 21, 2011; that Easter of April 12, 2009, April 4, 2009, and April 24, 2011; that Memorial Day of May 25, 2009, May 31, 2010, and May 30, 2011; that Independence Day of July 4, 2009, July 4, 2010, and July 4, 2011; Labor Day of September 7, 2009, September 6, 2010, September 5, 2011; that Columbus Day of October 12, 2009, October 11, 2010, and October 10, 2011; that Veteran's Day of November 11, 2009, November 1, 2010, and November 11, 2011; that Thanksgiving Day of November 26, 2009, November 25, 2010, and November 24, 2011; that the Friday after Thanksgiving of November 27, 2009, November 26, 2010, and November 25, 2011; Christmas Eve of December 24, 2010 and December 24, 2011; and that Christmas Day of December 25, 2009, December 25, 2010, and December 25, 2011 be identified and acknowledged as paid holidays is adopted.

i. Sick Leave

The parties' tentative agreement that employees shall be eligible to use up to twenty four hours of their accumulated sick leave per calendar year to care for a sick parent, minor child or spouse; that all provisions of their collective bargaining agreement applicable to sick leave for an employee's personal illness shall be applicable to sick leave to care for an ill parent, minor child or spouse; that employee shall begin to earn sick leave after 720 hours of service; that employees shall accumulate sick leave to maximum of 1440 hours; that upon termination the amount of unused accumulated sick leave that will be paid to employees will increase to 960 hours; and that all references to "180 days" in Section 16.3 of the parties' collective bargaining agreement shall be deleted and replaced with "one thousand four hundred forty (1440) hours," is adopted.

DATED: December 8, 2009



Robert Perkovich, Arbitrator