

**BEFORE
EDWIN H. BENN
ARBITRATOR**

In the Matter of the Arbitration

between

CITY OF HIGHLAND PARK, ILLINOIS

and

**HIGHLAND PARK FIRE FIGHTERS
ASSOCIATION LOCAL 822, IAFF**

CASE NOS.: S-MA-10-282
Arb. Ref. 10.144
(Interest Arbitration)

ORDER

Upon presentation of the parties' positions, it is hereby ordered:

1. Duration

The term of the new collective bargaining agreement ("Agreement") shall be from May 1, 2008 through April 30, 2011.

2. Salaries

The wage increases for the Agreement shall be as follows:

<u>Effective Date</u>	<u>Increase</u>
May 1, 2008	3.5%
May 1, 2009	0.0%
May 1, 2010	2.5%

The new wage schedule is attached to this Order as Appendix A.

3. Sick Leave/RHS Plan

The parties shall have 60 days from the date of this Order (or longer, if mutually agreed) to finalize language for modifications, if any, to the Sick Leave/RHS Plan provisions of the Agreement.

4. Promotions

The City's proposal of April 7, 2009 is modified as follows:

Section 10.1 General. - Remove date of amendment. Add as follows: The provisions of this Article and the Act shall supersede any provision with respect to Fire Department promotions contained in the Board of Fire and Police Commissioners Rules and Regulations.

Section 10.4 Rating Factors and Weights. Change seniority and Ascertained Merit points so that when weight is multiplied by points Seniority is a maximum of 5 points and Ascertained Merit is a total of 28 points.

New Section 10.9 Right To Review. The Union or any affected employee who believes an error has been made with respect to eligibility to take an examination, examination result, placement or position on a promotion list or veteran's preference shall be entitled to have such dispute resolved in accordance with the parties' grievance procedure contained in Article V. The standard of review to be applied by an arbitrator for such disputes shall be whether the City acted in an arbitrary or capricious manner.

MEMO OF AGREEMENT

Add: This Memo of Agreement is entered into on a non-precedential basis and cannot be relied on by either party in the future for any purpose except as is necessary to enforce its terms.

5. Step Placements

All bargaining unit members whose step movements were frozen by the City prior to January 1, 2010 shall have those deferred step placements restored effective January 1, 2010 and shall be compensated as set forth in paragraph 10(B) of this Order for the period January 1, 2010 to the present. Subsequent step movements after January 1, 2010 for those employees shall be made as provided in the Agreement and as if no step freezes occurred.

The Union shall withdraw the pending unfair labor practice charge which it filed concerning the City's freezing of step movements.

6. Insurance

No change from prior Agreement. The employee premium contribution schedule is attached to this Order as Appendix B.

7. Longevity

No change from prior Agreement.

8. No Layoff

No bargaining unit member shall be laid off through December 31, 2010.

9. Insurance Premium Under/Over Payments

Adjustments to be made for prior insurance premium under/over payments made by the City for bargaining unit members shall be limited to the period January 1, 2010 through June 30, 2010. The parties are directed to meet and determine the amounts, if any, which may have been erroneously paid by the City for individual employees.

10. Retroactive Payments

A. Salaries

Salary increases provided for in paragraph 2 of this Order shall be retroactive to May 1, 2008 (hour for hour for all paid hours). The employees shall receive their retroactive wage payments no later than two pay periods following City Council approval of this Order.

B. Step Deferrals

Employees due backpay as a result of frozen step movements adjusted in paragraph 5 of this Order shall receive one-half of those backpay amounts in the present fiscal year and the remaining one-half in the next fiscal year. Payments to be made in this fiscal year shall be made no later than two pay peri-

ods following City Council approval of this Order. Payments to be made in the next fiscal year shall be made by the second pay period in January 2011.

C. Insurance Premium Under/Over Payments

Unless mutually agreed otherwise in individual circumstances, adjustments for insurance premium under/over payments addressed in paragraph 9 of this Order shall be accomplished in the same manner provided in paragraph 10(B) — one-half to be offset from (or added to) the retroactive payments to be made no later than two pay periods following City Council approval of this Order and the remaining one-half to be offset from (or added to) the retroactive payments to be made by the second pay period in January 2011.

11. Other Issues

All other terms agreed to by the parties during negotiations are incorporated into this Order and the Agreement. All other issues not addressed in this Order or agreed to by the parties are considered withdrawn.

12. Non-Precedential Effect

This Order is entered on a non-precedential basis.

13. Drafting of Language

The matter is now remanded to the parties to draft contract language consistent with this Order.

14. Retention of Jurisdiction

The undersigned will retain jurisdiction for disputes, if any, concerning specific requirements of this Order.

A handwritten signature in black ink, appearing to read "Edwin H. Benn", is written over a horizontal line.

Edwin H. Benn
Arbitrator

Dated: July 16, 2010

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APPENDIX A

Wage Schedule*

May 1, 2008 - April 30, 2010

<u>GRADE</u>	<u>Job Classification</u>	<u>STEP 1</u>	<u>STEP 2</u>	<u>STEP 3</u>	<u>STEP 4</u>	<u>STEP 5</u>	<u>STEP 6</u>	<u>STEP 7</u>	<u>STEP 8</u>
56020	FIREFIGHTER	n/a	\$55,347.99	\$58,149.32	\$61,094.19	\$64,186.27	\$67,435.88	\$70,851.86	\$74,436.79
56030	FIRE FIGHTER EMT I	n/a	\$56,519.18	\$59,320.87	\$62,264.98	\$65,357.81	\$68,607.06	\$72,021.19	\$75,608.33
65350	FIRE FIGHTER EMT II	n/a	\$59,909.02	\$62,788.72	\$65,814.57	\$68,994.99	\$72,335.15	\$75,846.09	\$79,531.49
68050	FIRE LIEUTENANT EMT I	n/a	\$66,288.96	\$69,584.02	\$73,047.42	\$76,684.14	\$80,506.40	\$84,521.89	\$88,740.58
74070	FIRE LIEUTENANT EMT II	n/a	\$69,704.25	\$73,078.76	\$76,625.51	\$80,350.02	\$84,263.37	\$88,375.10	\$92,694.13

May 1, 2010 - April 30, 2011

<u>GRADE</u>	<u>Job Classification</u>	<u>STEP 1</u>	<u>STEP 2</u>	<u>STEP 3</u>	<u>STEP 4</u>	<u>STEP 5</u>	<u>STEP 6</u>	<u>STEP 7</u>	<u>STEP 8</u>
56020	FIREFIGHTER	n/a	\$56,731.69	\$59,603.06	\$62,621.54	\$65,790.93	\$69,121.78	\$72,623.15	\$76,297.71
56030	FIRE FIGHTER EMT I	n/a	\$57,932.16	\$60,803.89	\$63,821.60	\$66,991.75	\$70,322.23	\$73,821.72	\$77,498.54
65350	FIRE FIGHTER EMT II	n/a	\$61,406.74	\$64,358.44	\$67,459.94	\$70,719.87	\$74,143.52	\$77,742.25	\$81,519.78
68050	FIRE LIEUTENANT EMT I	n/a	\$67,946.18	\$71,323.62	\$74,873.61	\$78,601.25	\$82,519.06	\$86,634.94	\$90,959.09
74070	FIRE LIEUTENANT EMT II	n/a	\$71,446.85	\$74,905.73	\$78,541.15	\$82,358.77	\$86,369.95	\$90,584.48	\$95,011.49

* The effective dates of the step increases are subject to paragraph 5 of this Order.

Step designations are as follows:

Start	Step 2
6 months	Step 3
After 18 months	Step 4
After 30 months	Step 5
After 42 months	Step 6
After 54 months	Step 7
After 66 months	Step 8

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APPENDIX B

Employee Health Insurance Premium Contribution Schedule Period May 1, 2008 through April 30, 2011					
	PPO Plans and HMO Plan				
Annual Base Pay Range	Employee	Employee+1	Employee+2	Employee+3	Employee+4
Up to \$35,000	0%	1.62%	2.19%	2.73%	3.20%
\$35,001 - \$50,000	2.15%	3.77%	4.34%	4.88%	5.35%
\$50,001 - \$75,000	3.50%	6.13%	7.07%	7.95%	8.72%
\$75,001 - \$100,000	5.00%	8.76%	10.10%	11.35%	12.45%
\$100,001 or more	5.68%	9.95%	11.47%	12.89%	14.14%