

**ILLINOIS LABOR RELATIONS BOARD
INTEREST ARBITRATION**

INTERNATIONAL ASSOCIATION OF
FIREFIGHTERS, Local 471
Harvey Firemen's Association

and

CITY OF HARVEY, ILLINOIS

S-MA-13-023

**OPINION AND AWARD
OF
JOHN C. FLETCHER, ARBITRATOR
AUGUST 23, 2013**

This matter comes before the Arbitrator on the single issue of wages for a successor collective bargaining agreement to succeed the collective bargaining agreement that expired on April 30, 2012. The parties waived the requirements of the statute¹ on a panel of arbitrators, instead opting to have the matter decided by a single arbitrator, and also waived the statutory requirement that arbitration proceedings be recorded by a court reporter. As contemplated by the statute, the undersigned Arbitrator provided mediation services that were not successful in effecting a settlement.² Accordingly,

¹ 5 ILCS 315

² The statutory criteria and the responsibilities of arbitrators in Illinois Public Safety Interest Arbitration will not be repeated here, as the parties are well versed in this area, having been in interest arbitration with this Unit in the past. *See*, S-MA-06-288, for example.

Counsel for the parties presented the matter to the Arbitrator for a final and binding award.

The final offer of the Union is for wage increases on the following dates in the amounts noted, with full retroactivity:³

<u>Effective</u>	<u>Increase</u>	
May 1, 2012	Three Percent	(3%)
May 1, 2013	Three Percent	(3%)
May 1, 2014	Three Percent	(3%)
May 1, 2015	Three Percent	(3%)

The final offer of the City of Harvey is:⁴

<u>Effective</u>	<u>Increase</u>	
May 1, 2012	One Percent	(1%)
May 1, 2013	Two Percent	(2%)
May 1, 2014	Three Percent	(3%)
May 1, 2015	Three Percent	(3%)

The evidence of record is conclusive - Harvey Firefighters rank at the bottom of the pay scale for neighboring communities. For example in 2011, of 21 neighboring communities Harvey Firefighters ranked either 20th or 21st in all measurable categories.⁵ The average starting salary for these 21 communities was \$47,109 in 2011. Harvey's starting salary in 2011 was \$36,158. After five years the numbers are \$67,000 and \$55,954. Ten years

³ Union Exhibit No. 1.

⁴ Made orally at hearing.

⁵ Union Exhibit No. 4. The City has not offered any evidence that the data depicted in this exhibit is not correct.

\$69,359 and \$57,149. Fifteen years \$70,539 and \$58,149. Twenty years \$72,428 and \$59,246.

This disparity is so dramatic that other statutory criteria need not be visited, as in the opinion of this Arbitrator, even if they were favorable to the City, they would not be sufficiently persuasive to embrace the City's final offer, which is merely 3.2% less than that of the Union when considered on a compounded basis.

Accordingly, the Arbitrator selects the Final Offer of the Union, in its entirety, ⁶ as set forth in Union Exhibit No. 1, as the wage increases to be formalized into the Collective Bargaining Agreement to be effective between May 1, 2012 and April 30, 2016.

John C. Fletcher, Arbitrator

Boone County, Illinois, August 22, 2013

⁶ The act requires that, "the arbitration panel shall adopt the last offer of settlement which, in the opinion of the arbitration panel, more nearly complies with the applicable factors prescribed in subsection (h)." Arbitrators are not privileged to piecemeal the final offer deemed to "more nearly [comply] with the applicable factors prescribed in subsection (h)."