



Law Enforcement Officers Union, Council 82

AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO

HOLLIS V. CHASE BUILDING

63 COLVIN AVENUE, ALBANY, NY 12206

(518) 489-8424 (518) 435-1523 FAX

www.council82.org • c82@council82.org

January 22, 2008

Richard Curreri
Director of Conciliation
New York State Public
Employment Relations Board
80 Wolf Road
Albany, New York 12225-2607

Re: Petition for Compulsory Interest Arbitration
State of New York/Security Supervisors Unit
PERB No.: M-2007-175
Council 82 No.: 07-073

Dear Mr. Curreri:

Please accept this original letter and three copies as a petition requesting the Board to refer the impasse referenced above to compulsory interest arbitration. A copy of this petition is being served simultaneously on the employer's representative.

1. *The names and addresses of the public employer and the employee organization involved in the impasse are as follows:*

Employer: State of New York
Governor's Office of Employee Relations
Agency Building 2, Empire State Plaza
Albany, New York 12223

Employee Organization: New York State Law Enforcement Officers
Union, District Council 82, AFSCME, AFL-CIO
63 Colvin Avenue
Albany, New York 12206

2. *Name, title, address, and telephone number of the representative of each party whom correspondence shall be directed is as follows:*

For the Employer: Seren Hrachian, Associate Director
Governor's Officer of Employee Relations
Agency Building No. 2, Suite 1201
Empire State Plaza

Albany, New York 12223-1250
Telephone: (518) 474-4800

For the Organization: Matthew P. Ryan, Esq.
Associate General Counsel
Council 82, AFSCME, AFL-CIO
Albany, New York 12206
Telephone: (518) 489-8424
Facsimile: (518) 4435-1523

3. *The employee organization has appointed the following individual as its member of the public arbitration panel:*

Org. Panel Member: Ennio J. Corsi, Esq.
General Counsel
Council 82, AFSCME, AFL-CIO
63 Colvin Avenue
Albany, New York 12206
Telephone: (518) 489-8424
Facsimile: (518) 4435-1523

4. *No economic terms and conditions of employment were agreed upon by the parties. However, the parties did reach an agreement as to non-economic terms and conditions of employment which cover the compulsory interest arbitration eligible titles at issue for the period of April 1, 2003 to March 31, 2007.*

5. *The statement of each of the terms and conditions of employment raised by the petitioner in negotiations and not agreed upon by the parties therein, are hereby submitted for presentation to the public arbitration panel for its determination:*

- A. See Exhibit A attached hereto.
- B. A number of the Employee Organization's proposals attached to this petition as Exhibit A were verbally modified at the bargaining table. Those verbal modifications are as follows:
 - i. **Security Supervisors Unit Proposal #1:** The Union made no changes to this proposal;
 - ii. **Security Supervisors Unit Proposal #2:** The Union modified this proposal in part by withdrawing the demand for the increase proposed for 4/1/06;
 - iii. **Security Supervisors Unit Proposal #3:** The Union withdrew this proposal and it is, therefore, not attached to this petition;

- iv. **Security Supervisors Unit Proposal #4:** The Union made the following modifications to this proposal: increase the current ten year longevity step increase by \$700.00, increase the current fifteen year step by \$1000.00, and increase the current twenty five year step by \$1000.00. All increases to be cumulative.
- v. **Security Supervisors Unit Proposal #5:** The Union modified this demand by proposing an increase to the Security Enforcement Differential of \$275.00 to \$850.00 on 4/1/05; an increase of \$300.00 to \$1150.00 on 4/1/06; an increase of \$500.00 to \$1650.00 on 3/31/07; and on 4/1/07 roll the Security Enforcement Differential in to the base salary;
- vi. **Security Supervisors Unit Proposal #6:** The Union made no modifications to this proposal;
- vii. **Security Supervisors Unit Proposal #7:** The Union modified this proposal as follows: Location Pay to increase on 4/1/2005 to \$1310.00 and increase to \$1349.00 on 4/1/2006. Supplemental Location Pay for Orange, Putnam and Dutchess Counties to increase to \$1061.00 on 4/1/2004, increase to \$1092.00 on 4/1/1005 and increase to \$1124.00 on 4/1/2006. Supplemental Location for New York, Rockland and Westchester Counties to increase to \$1639.00 on 4/1/2005 and increase to \$1688.00 on 4/1/2006. Supplemental Location Pay for Nassau and Suffolk Counties to increase to \$1913.00 on 4/1/2005 and increase to \$1970.00 on 4/1/2006; and
- viii. **Security Supervisors Unit Proposal #8:** The Union modified this proposal by revising its demand to \$1.00 shift differential pay for hours worked on "night" shifts, such as 10:00 p.m. to 6:00 a.m., and 11:00 p.m. to 7:00 a.m.; and by revising its demand to \$2.50 shift differential pay for hours worked on "afternoon" shifts, such as 2:00 p.m. to 10:00 p.m., and 3:00 p.m. to 11:00 p.m. Further, the demand was modified to make shift differential pay effective on a specific date without retroactive payment, and for any "retroactivity" between implementation date and award retroactive payment would be discussed between the parties.

A copy of this petition has been mailed to the representative of the respondent party. Enclosed please find the proof of said service. Please feel free to contact me if you have any questions or if you require any additional information from me. Thank you again for your courtesies in this matter.

Very truly yours,

A handwritten signature in black ink that reads "Matthew P. Ryan". The signature is stylized with a large, sweeping "M" and a long horizontal line extending to the right.

Matthew P. Ryan
Associate General Counsel

cc: James Lyman, President, Council 82
Richard Stevens, Staff Director, Council 82
Donald Balint, Vice President, Council 82
Michael LaDue, Negotiations Team Member, Council 82
Laura Cestaro, Negotiations Team Member, Council 82
Seren Hrachian, Associate Director,
Governor's Office of Employee Relations

EXHIBIT A

COUNCIL 82
SECURITY SUPERVISORS UNIT

PROPOSAL # 1

ARTICLE 11.2

- General Salary Increase: Effective 4/1/2005 the basic annual salary of all full time members will be increased by 5%

Effective 4/1/2006 the basic annual salary of all full time members will be increased by 5%

COUNCIL 82
SECURITY SUPERVISORS UNIT

PROPOSAL # 2

ARTICLE 11.11

CORRECTIONS COMMAND PAY:

- Effective 4/1/05 all full time members of the unit shall receive \$ 2500.00
 - Effective 4/1/06 all full time members of the unit shall receive \$ 2500.00
- * These additional compensations to be added into the base salary effective 3/31/07

COUNCIL 82
SECURITY SUPERVISORS UNIT

PROPOSAL # 4

ARTICLE 11.6

4. **LONGEVITY PAYMENT:** Each longevity payment will increase \$ 3500.00 each year of the contract for all full time members

COUNCIL 82
SECURITY SUPERVISORS UNIT

PROPOSAL # 5

ARTICLE 11.10

• SECURITY ENFORCEMENT DIFFERENTIAL:

Effective 4/1/05 each full time member shall receive \$ 1000.00

Effective 4/1/06 each full time member shall receive \$ 1300.00

* This compensation to be added to base salary effective 3/31/07

COUNCIL 82
SECURITY SUPERVISORS UNIT

PROPOSAL # 6

ARTICLE 20.2

- **UNIFORM ALLOWANCE:** Effective 4/1/05 all full time members of the unit shall receive an increase of \$ 1000.00

Effective 4/1/06 all full time members of the unit shall receive an increase of \$ 1000.00

* to be added to base salary effective 3/31/07

**COUNCIL 82
SECURITY SUPERVISORS UNIT**

PROPOSAL # 7

ARTICLE 11.7

- **LOCATION COMPENSATION:** Location compensation for Nassau & Suffolk Counties to be increased \$ 8100.00

Location compensation for Orange/NYC/ Rockland/Westchester Counties increased \$ 6689.00

Location Compensation for Putnam/Dutchess Counties increased \$ 1126.00

**COUNCIL 82
SECURITY SUPERVISORS UNIT**

PROPOSAL # 8

ARTICLE 11.7

- **INCONVENIENCE PAY:** Effective 4/1/05 inconvenience pay increased
 - \$ 2.50 per hour for hours worked on "night" shifts, such as 10p-6a; 11p-7a
 - \$ 5.00 per hour for hours worked on "afternoon" shifts, such as 2p-10p; 3p-11p

**THE STATE OF NEW YORK
PUBLIC EMPLOYMENT RELATIONS BOARD**

**In the matter of the Interest Arbitration between:
SECURITY SUPERVISORS UNIT, NEW YORK STATE
LAW ENFORCEMENT OFFICERS UNION,
DISTRICT COUNCIL 82, AFSCME, AFL-CIO,**

Petitioner,

AFFIDAVIT OF SERVICE
PERB No.: M2007-175

-and-

STATE OF NEW YORK,

Respondent.

STATE OF NEW YORK)
) ss.:
COUNTY OF ALBANY)

Matthew P. Ryan, being duly sworn, deposes and says:

1. I am over the age of eighteen, and I am not a party to this action.
2. On January 22, 2008, I served the petition for compulsory interest arbitration upon the respondent, State of New York, by mailing the petition for compulsory interest arbitration to Seren Hrachian, Associate Director, at the address designated by him for that purpose. The address being State of New York, Governor's Office of Employee Relations, Agency Building No. 2, Suite 1201, Empire State Plaza, Albany, New York 12223-1250.

Dated: Albany, New York
January 22, 2008


Matthew P. Ryan

Sworn to before me this
22nd day of January, 2008


NOTARY PUBLIC – State of New York

CHRISTINE CAPUTO GRANICH
Notary Public, State of New York
No. 02CAB034717
Qualified in Rensselaer County
Commission Expires Dec. 8, 2010