



# New York State Law Enforcement Officers Union, Council 82

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

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## MEMORANDUM

TO: Members of New York State DOCS Lieutenants Local 2951

FROM: Ennio J. Corsi  
General Counsel and SSU Interest Arbitration Panel Member

DATE: March 24, 2009

RE: Interest Arbitration Award for the Period of 4/1/05 through 3/31/07

I write to inform you that the Summary of Award in the Security Supervisors Unit Interest Arbitration has been rendered. Regrettably, that Summary of Award will roll back some of the gains we achieved in the last Interest Arbitration.

In a 2-to-1 majority decision, in which Arbitrator Jeffrey Selchick and GOER General Counsel Walter Pellegrini concurred and I dissented, the Interest Arbitration Panel awarded a 2.25% increase in salary and longevity effective April 1, 2005, a 2.75% increase in salary and longevity effective April 1, 2006, 3% increases in "location pay" effective April 1, 2005 and April 1, 2006, and "inconvenience pay" of \$900 for the night shift and \$1,800 for the evening shift effective April 1, 2006. Further, with regard to the "security enforcement differential", the award provides for an increase from \$575 to \$850 effective April 1, 2005, an increase from \$850 to \$1,100 effective April 1, 2006, and an increase to \$1,550 effective March 31, 2007, at which time that amount will be rolled into the base salary and the differential will be eliminated from the contract. Also, with regard to the "clothing maintenance allowance", the current \$1,500 will be rolled into the base salary effective March 31, 2007 and the allowance will be eliminated from the contract. The award also increases the amount the State must pay per employee into "employee benefit fund" from \$20 to \$30 per member for the period of April 1, 2006 through March 31, 2007, and directs the State to appropriate, effective March 31, 2007, \$300,000 to allow continuation of the employee assistance program. Lastly, the award increases the amount of the hospital emergency room co-pay from \$50 to \$60, the amount of the participating provider office visit, office surgery, radiology, and laboratory co-pay from \$15 to \$18, and the participating provider co-pay for outpatient mental health services from \$15 to \$18, although it does increase the hearing aid allowance from \$1,200 per hearing aid per ear to \$1,500.

We will be doing the cost calculations and salary schedules and get them out to you for your analysis as soon as possible, but our initial rough estimate of the numbers is as follows:

1. After this interest arbitration, as of 3/31/07, the differences in total compensation between a Sergeant and a Lieutenant are as follows:
  - a. A job-rate Lieutenant makes \$11,519 more than a job-rate Sergeant;
  - b. A 10-year Lieutenant makes \$11,431 more than a 10-year Sergeant;
  - c. A 15-year Lieutenant makes \$11,718 more than a 15-year Sergeant;
  - d. A 20-year Lieutenant makes \$12,316 more than a 20-year Sergeant; and
  - e. A 25-year Lieutenant makes \$14,433 more than a 25-year Sergeant.
  
2. After the last interest arbitration, as of 4/1/04, the differences in total compensation between a Sergeant and a Lieutenant were as follows:
  - a. A job-rate Lieutenant made \$11,970 more than a job-rate Sergeant;
  - b. A 10-year Lieutenant made \$11,826 more than a 10-year Sergeant;
  - c. A 15-year Lieutenant made \$12,125 more than a 15-year Sergeant;
  - d. A 20-year Lieutenant made \$12,728 more than a 20-year Sergeant; and
  - e. A 25-year Lieutenant made \$14,751 more than a 25-year Sergeant.
  
3. Prior to the last interest arbitration (effective 4/1/02), the differences in total compensation (base pay plus other compensation, excluding location pay and inconvenience pay) between a Sergeant and a Lieutenant were as follows:
  - a. A job-rate Lieutenant made \$7,991 more than a job-rate Sergeant;
  - b. A 10-year Lieutenant made \$8,973 more than a 10-year Sergeant;
  - c. A 15-year Lieutenant made \$9,322 more than a 15-year Sergeant; and
  - d. A 20-year Lieutenant made \$9,674 more than a 20-year Sergeant.

As you can clearly see, we lost some of the ground and momentum that we gained in the last interest arbitration. Further, the additional out-of-pocket monies that you will be paying in increased health insurance co-pays will only exacerbate the situation.

The Arbitrator will issue the Summary of Award to the public sometime on Friday, March 27, 2009. The full Opinion and Award, which will outline the cases presented by the parties and the rationale of the majority of the Panel in making its award, will be released sometime in the next several weeks. We will post those documents on the website and mail out copies to you when we receive them. Council 82 and your Local will be meeting in the next few weeks to assess the entire matter and make our preparations for the next round of negotiations, and will report to you shortly in that regard. With regard to back pay, we will immediately begin working on getting the pay bill process going, and we will keep you updated as to its status.