

STATE OF MICHIGAN
EMPLOYMENT RELATIONS COMMISSION
COMPULSORY ARBITRATION BEFORE
WILLIAM E. LONG, CHAIRPERSON

IN THE MATTER OF:

OAKLAND COUNTY
Petitioner/Public Employer,

MERC Case No. D09 G-0085 (Act 312)

-and-

OAKLAND COUNTY DEPUTY SHERIFF'S ASSOCIATION
Labor Organization.

OAKLAND COUNTY DEPUTY SHERIFF'S ASSOCIATION'S

LAST OFFERS OF SETTLEMENT

GREGORY, MOORE,
JEAKLE & BROOKS, P.C.
BY: JAMES M. MOORE
65 Cadillac Square Suite 3727
Detroit, MI 48226
313.964.5600

November 8, 2011

ACT 312 ISSUE NO. 1

OCDSA'S LAST OFFER OF SETTLEMENT

DURATION –ECONOMIC

Article XXVI DURATION

This Agreement shall remain in full force and effect until midnight, September 30, ~~2009~~ **2012**. The Agreement shall be automatically renewed from year to year thereafter unless either party shall notify the other in writing 60 days prior to the anniversary date that it desires to modify the Agreement. In the event that such notice is given, negotiations shall begin no later than 60 days prior to the anniversary date. This Agreement shall remain in full force and be effective during the period of negotiations and until notice of termination of this Agreement is provided to the other party in the manner set forth in the following paragraph.

In the event that either party desires to terminate this Agreement, written notice must be given to the other party no less than 10 days prior to the desired termination date which shall not be before the anniversary date set forth in the preceding paragraph.

ACT 312 ISSUE NOS. 2 and 3

OCDSA'S LAST OFFERS OF SETTLEMENT

WAGES/RETROACTIVITY -ECONOMIC

APPENDIX A.I. WAGES

For the period October 1, 2009 through September 30, 2010

0%

For the period October 1, 2010 through September 30, 2011:

0%

For the period October 1, 2011 through September 30, 2012:

2.5% decrease, effective on date of Award

APPENDIX A

I. WAGES

Bi-weekly wages for Fiscal Years 2010 through 2012.

Deputy I	<u>Base</u>	<u>1yr</u>	<u>2yr</u>	<u>3yr</u>	<u>4yr</u>	<u>5yr</u>	<u>6yr</u>
FY10	1357.49	1469.11	1558.72	1706.98	1883.04	2027.36	2228.06
FY11	1357.49	1469.11	1558.72	1706.98	1883.04	2027.36	2228.06
FY12	1323.55	1432.38	1519.75	1664.31	1835.96	1976.68	2172.36

Deputy II	<u>Base</u>	<u>1yr</u>	<u>2yr</u>	<u>3yr</u>	<u>4yr</u>	<u>5yr</u>
FY10	1831.63	1963.72	2095.94	2246.57	2328.70	2492.43
FY11	1831.63	1963.72	2095.94	2246.57	2328.70	2492.43
FY12	1785.84	1914.63	2043.54	2190.41	2270.48	2430.12

Dispatch Spec	<u>Base</u>	<u>1yr</u>	<u>2yr</u>	<u>3yr</u>	<u>4yr</u>	<u>5yr</u>	<u>6yr</u>
FY10	1310.96	1368.79	1426.69	1542.25	1657.85	1773.41	1865.38
FY11	1310.96	1368.79	1426.69	1542.25	1657.85	1773.41	1865.38
FY12	1278.19	1334.57	1391.02	1503.69	1616.40	1729.07	1818.75

Dispatch Spec Shift Leader	<u>Base</u>	<u>1yr</u>	<u>2yr</u>
FY10	1825.47	1882.47	2011.82
FY11	1825.47	1882.47	2011.82
FY12	1779.83	1835.41	1961.52

Fire Investigator	<u>Base</u>
FY10	2521.12
FY11	2521.12
FY12	2458.09

ACT 312 ISSUE NO. 4

OCDSA'S LAST OFFER OF SETTLEMENT

EMPLOYEE HEALTHCARE PREMIUM CONTRIBUTION

APPENDIX II.B HEALTH BENEFITS

Status Quo. No Change.

ACT 312 ISSUE NO. 5

OCDSA'S LAST OFFER OF SETTLEMENT

ELIMINATION OF HEALTH ALLIANCE PLAN ("HAP")
AS A HEALTH INSURANCE CHOICE

APPENDIX B.II HEALTH BENEFITS

Status Quo. No Change.

ACT 312 ISSUE NO. 6

OCDSA'S LAST OFFER OF SETTLEMENT

RETIREE HEALTH CARE BENEFIT FOR NEW HIRES

The Retirement Health Savings Plan, as passed by the Board of Commissioners in Miscellaneous Resolution #05258, shall apply to all employees hired after the effective date of the Act 312 Award, except that the annual amount to be contributed by the County each year shall be \$3,500. Such employees shall not be eligible to participate in the Retiree Healthcare System.

ACT 312 ISSUE NO. 7

OCDSA'S LAST OFFER OF SETTLEMENT

ELIMINATION OF EMPLOYER CONTRIBUTION TO §457 PLAN

The County's \$300 match to the §457 Plan shall be eliminated provided, however, that one final match, up to \$300, shall be paid in the calendar year in which the Act 312 award is issued.

ACT 312 ISSUE NO. 8

OCDSA'S LAST OFFER OF SETTLEMENT

RETIREMENT MULTIPLIER-ECONOMIC

Article XXI RETIREMENT BENEFITS (EMPLOYEES HIRED PRIOR TO 5/27/95)

* * *

D. Effective with the execution of this Agreement the pension multiplier factor and employee contribution rate for employees of the Sheriff's Office covered by this Agreement who participate in the Defined Benefit Retirement Plan shall be as follows:

1. For the first 14 full years of service in the Sheriff's Office, the employee ~~shall have a multiplier of 2.2% and the employee shall contribute 3% of gross wages to the Retirement Plan during this time period.~~
2. ~~Thereafter,~~ For every year of service in the Sheriff's Office ~~beginning with the employee's 15th year of service in the Department,~~ the employee shall have a multiplier of 2.5% and, **beginning with the employee's 15th year of service in the Department the employee shall contribute 5% of gross wages to the Retirement Plan. The cap on retirement benefits shall be up to a maximum of 75% of final average compensation.**
3. ~~The following cap on retirement benefits shall apply: The first 14 full years of service in the bargaining unit will be based on a 2.2% factor (multiplier) with all subsequent years of service in the bargaining unit based on a 2.5% factor (multiplier) up to a maximum of 75% of final average compensation.~~

ACT 312 ISSUE NO. 9

OCDSA'S LAST OFFER OF SETTLEMENT

RETIREMENT CONTRIBUTION -ECONOMIC

Article XXII RETIREMENT BENEFITS (EMPLOYEES HIRED ON OR AFTER 5/27/95)

* * *

All bargaining unit employees hired on or after May 27, 1995, shall only be eligible to participate in the Defined Contribution Retirement Plan, as adopted by the Board of Commissioners in Miscellaneous Resolution #94185.

- A. The County and the employee shall make the following contributions to the Defined Contribution Retirement Plan: Effective with the pay period following September 11, 2009, the County shall contribute ~~12~~ 10% of base wages to the Defined Contribution Retirement Plan and the employee shall contribute ~~5~~ 3% of base wages to the Defined Contribution Retirement Plan.

ACT 312 ISSUE NO. 10

OCDSA'S LAST OFFER OF SETTLEMENT

ANNUAL LEAVE ACCUMULATION -- ECONOMIC

New Article ANNUAL LEAVE ACCUMULATION

A. The rate of accumulation of annual leave, set forth in Merit Rule 23.3.1, shall be increased as follows:

LENGTH OF ELIGIBLE COUNTY SERVICE (SEE RULE 22)		DAYS OF ANNUAL LEAVE EARNED*		MAXIMUM** ACCUMULATION HOURS/DAYS	
From	Through	Hours Per Pay	In 12 Months	Elig. O/T	N/Elig. O/T
0	1 Year	3.07 3.38	11 10-Days	N/A	N/A
1 Yrs	4 Years	3.69 4.06	13 12-Days	144/18.0	288/36.0
5 Yrs	9 Years	4.61 5.07	16 15-Days	180/22.5	360/45.0
10 Yrs	14 Years	5.53 6.08	20 18-Days	216/27.0	432/54.0
15 Yrs	19 Years	6.15 6.77	22 20-Days	240/30.0	480/60.0
20 Yrs	24 Years	6.76 7.44	24 22-Days	264/33.0	528/66.0
25 Yrs	Remainder of County Service	7.38 8.12	26 24-Days	288/36.0	576/72.0

ACT 312 ISSUE NO. 11

OCDSA'S LAST OFFER OF SETTLEMENT

COMPENSATORY TIME - ECONOMIC

New Article ___ COMPENSATORY TIME

Unit employees shall have the option of earning compensatory time off at a rate of time and one-half in lieu of receiving payment for overtime or other types of compensation, not to exceed an 60 hour cap in a replenishable bank, in accordance with the following:

In order to exercise this option, employees may provide written notice of change from one to the other concurrent with County payroll periods. Compensatory time off shall be granted with the permission of the sergeant/lieutenant, and may be utilized in increments of one hour or more. A request to use compensatory time may be denied if it would result in overtime compensation for another deputy, and in the event of a change in circumstances resulting in potential overtime compensation for another deputy, the requesting deputy may be required to utilize annual or personal leave for the absence. Any compensatory time not utilized by October 1 shall be paid to the employee at the rate in effect as of October 30 of the fiscal year, by a lump sum payment no later than November 15, provided that no compensatory time shall be allowed after October 1 of the fiscal year in which it was earned, nor may an employee carry compensatory time over from one fiscal year to the next fiscal year. The Association shall hold the County harmless for any legal challenge to the compensatory time program.

ACT 312 ISSUE NO. 12

OCDSA'S LAST OFFER OF SETTLEMENT

SHIFT DIFFERENTIAL - ECONOMIC

New Article ____ SHIFT DIFFERENTIAL

Beginning with the effective date of the Act 312 Award, deputies shall receive a shift premium of 30¢ per hour for hours worked on the afternoon shift and 30¢ per hour for hours worked on the midnight shift. The afternoon shift is defined as any shift that begins between 11:00 a.m. and 6:59 p.m. The midnight shift is defined as any shift that begins between 7:00 p.m. and 3:59 a.m.

ACT 312 ISSUE NO. 13

OCDSA'S LAST OFFER OF SETTLEMENT

MISSED OVERTIME PROCEDURE – ECONOMIC

Article XIX OVERTIME New Section L:

Any employee who is eligible and available for an overtime opportunity and is not offered the opportunity to work due to the failure of management to follow the overtime procedure shall be compensated with two (2) hours pay and, in addition, shall be offered the next overtime opportunity equal to the number of hours worked in the missed overtime opportunity

ACT 312 ISSUE NO. 14

OCDSA'S LAST OFFER OF SETTLEMENT

OVERTIME ELIGIBILITY –ECONOMIC

Article XIX OVERTIME

The first sentence shall be modified as follows:

All time, **whether worked or compensated through an employee's use of leave time**, in excess of a normal eight hour working day, in a 24 hour period beginning with the start of the employee's normal working shift that day, shall be considered as overtime and credited to the calendar on which the 24 hour period began.