

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Case XXXIV
No. 17524 MIA-85
Decision No. 12409-A

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and in subsequent meetings between the parties substantial progress was made by the parties in reducing the number of issues to three; that during the course of the informal investigation conducted by George R. Fleischli on January 30, 1974, the parties stipulated that they are at an impasse on the three remaining issues to wit: residency requirement, wages and work week.

5. That the parties have not established any mutually agreed-upon procedures for the final resolution of disputes arising in collective bargaining; and further, that the Petitioner asks that the arbitration be limited to the last and final offer of each of the respective parties and the Municipal Employer concurs in that request.

Upon the basis of the above and foregoing Findings of Fact, the Commission makes the following

CONCLUSION OF LAW

That an impasse within the meaning of Section 111.77(3) of MERA exists between the Madison Professional Policemen's Association and the City of Madison with respect to negotiations for a collective bargaining agreement for the year 1974 covering the wages, hours and conditions of employment for non-supervisory law enforcement personnel employed by the City of Madison.

Upon the basis of the above and foregoing Findings of Fact and Conclusion of Law, the Commission makes the following

CERTIFICATION

IT IS HEREBY CERTIFIED that the conditions precedent to the initiation of compulsory final and binding arbitration as required by Section 111.77 of MERA with respect to negotiations between the Madison Professional Policemen's Association and the City of Madison on issues of wages, hours and other conditions of employment of non-supervisory law enforcement personnel employed by the City of Madison have been met.

NOW, THEREFORE, it is

ORDERED

1. That compulsory final and binding last offer arbitration be, and the same hereby is, initiated for the purpose of issuing a final and binding award to resolve the impasse existing between the Madison Professional Policemen's Association and the City of Madison.

2. That the Madison Professional Policemen's Association file, in written form, its final offer on the three issues remaining in negotiations with the City of Madison with the Wisconsin Employment Relations Commission on or before February 25, 1974 and at the same time serve a copy thereof on the City of Madison. Such offer shall detail specifically how the Petitioner proposes that its work week be implemented with regard to all law enforcement personnel which it represents.

3. That the City of Madison file, in written form, its final offer on the three issues remaining in negotiations with the Madison Professional Policemen's Association with the Wisconsin Employment Relations Commission within five days after receipt of the Petitioner's last offer and at the same time serve a copy thereof on the Madison Professional Policemen's Association.

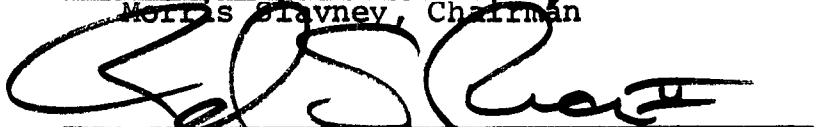
4. That, after the submission of final offers set out above, the parties shall select an arbitrator within ten (10) days after the date that a panel of five arbitrators is submitted to the parties by the Commission by alternately striking four of the members from said panel for the selection of the neutral arbitrator; and thereupon the parties or either of them shall notify the Commission in writing of the name of the neutral arbitrator and the Commission shall then issue an Order appointing said neutral arbitrator.

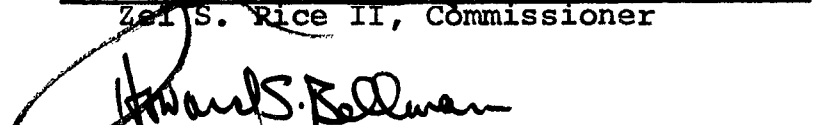
Given under our hands and seal at the
City of Madison, Wisconsin, this 8th
day of February, 1974.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slavney, Chairman


Zel S. Rice II, Commissioner


Howard S. Bellman, Commissioner

MEMORANDUM ACCOMPANYING
FINDINGS OF FACT, CONCLUSION OF LAW,
CERTIFICATION OF RESULTS OF INVESTIGATION
AND ORDER REQUIRING ARBITRATION

The Commission is satisfied, based on the informal investigation conducted by its agent as well as the stipulation of the parties, that an impasse existed in collective bargaining on the date that the petition was filed and that said impasse continues. The Petitioner accompanied its petition with its last proposal in bargaining as of the date of the petition which reads as follows:

"LAST PROPOSALS OF THE MPPA

- I. Residency Requirement: All municipal employees covered by this Agreement shall reside within the geographical boundaries of Dane County, Wisconsin.
- II. Basic Wage Increase: All municipal employees covered by this Agreement shall receive the monetary equivalent of five and one-half percent (5 1/2%) of their basic rate of pay.
- III. Work Schedules: The basic work schedule of all municipal employees covered by this Agreement shall be a five (5) - three (3) work week defined as five (5) days of work consisting of eight (8) hours per day followed by three (3) consecutive days off."

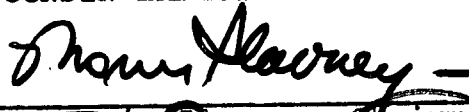
The Municipal Employer's last offer, as disclosed during the informal investigation, on the three issues remaining as of the date of the petition is (1) continuation of the residency requirement as set out in City ordinance; (2) a wage increase of 5%; (3) continuation of the present work schedules.

It is understood that either party is free to change their last offer "within five days of the date of the hearing" before the Arbitrator in accordance with the provisions of Section 111.77(4)(b). However, the Petitioner has been ordered to present a more detailed proposal with regard to its proposed "5/3" work schedule so that there may be no doubt regarding the implementation of that proposal if said issue is presented to the Arbitrator and the Arbitrator accepts the Petitioner's proposal in that regard. Because of the possibility that the Petitioner might see fit to change its offer the Municipal Employer has been ordered to file its final offer in writing five days later by agreement between the parties.

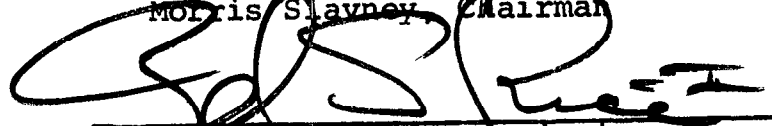
Dated at Madison, Wisconsin, this 8th day of February, 1974.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

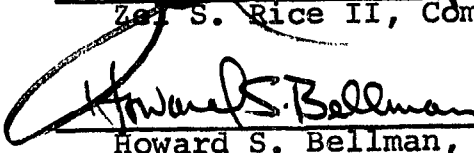
By



Morris Slayney, Chairman



Z. S. Rice II, Commissioner



Howard S. Bellman, Commissioner