

STATE OF WISCONSIN

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of

INTERNATIONAL ASS'N. OF FIREFIGHTERS
LOCAL 127, AFL-CIO

Case IX
No. 18565 MIA-132
Decision No. 13262-A

For Final and Binding Arbitration
involving Firefighting Personnel
in the Employ of the

CITY OF LA CROSSE

BACKGROUND

By Order of the Commission, the parties selected and the Commission appointed the undersigned as arbitrator on January 24, 1975, pursuant to Wis. Stats. 111.77 (3) (b) under "Form 1", the entire last and final offers.

By agreement a hearing was held on the matter in La Crosse on March 18, 1975, at which both parties submitted briefs and final briefs were filed on April 1.

Prior thereto and within the statutory time limit

- the petitioning Union amended its final offer to a general pay increase of \$99 per month and a \$1.84 contribution toward family health insurance premiums.
- The City of La Crosse amended its final offer to a general \$78.73 increase and a \$1.27 per month contribution toward family group health insurance premiums.

Thus, two issues remain for disposition.

THE PARTIES' POSITIONS SUMMARIZED

The Petitioning Union urged that:

1. The uniqueness of the fireman job, addition of La Crosse airport, fire coverage, the recent addition of a crash injury educational course requirement,
2. Wage comparisons with seven Wisconsin and seven Minnesota cities,
3. The public interest and welfare,
4. The cost-of-living increase (as reported by the La Crosse newspaper and found by Associated Press),
5. The ability of La Crosse to pay the requested increase, and
6. The findings in the two prior La Crosse WERC proceedings under Wis. Stats. 111.70

fully supported selection of its final offer.

The City urged that

1. Its proposed 1975 pay increase is 9.8%, a higher percent increase than that of any of the seven Wisconsin cities used in the above Union comparison

2. Its Workmen's Compensation premium rates do not support the argument that firefighting is its most dangerous occupation, e. g.,

<u>Occupation</u>	<u>Premium/ \$100 Payroll</u>
Highway Road Maintenance	\$2.51
" General duties	1.44
Transit Utility drivers	1.69
School District	1.33
Police	1.08
Firefighters	1.08

3. La Crosse was 14th in a listing of DILHR'S January 1, 1975, SMSA Average hourly earnings in 14 representative Wisconsin cities, including all but Oshkosh listed in the Union's seven Wisconsin city firefighter survey noted above.

As a result, the City has no difficulty in filling any openings that occur in the fire unit (this was accepted by the Fact Finder in the 1972 WERC Case III, No. 15288, FF-485).

DISCUSSION

While it may be that the Firefighter rates in comparable Wisconsin and Minnesota cities are higher than La Crosse, it should be noted that the controlling statutory provision is:

"Comparison of the wages - - - of the employes involved - - - with the wages - - - of other employes performing similar services and with other employes generally:

1. In public employment comparable communities
2. In private employment in comparable communities"
Wis. Stats. 111.77 (6) (d).

The above underlined words require advertance to the DILHR rates cited by the City and the City's labor Market conditions.

2. The Union's claim of fire fighter high safety risk fails in the light of the insurance underwriters evaluations - the real "Jimmy, the Greeks" here. Even the school district employe premium is higher than that for the police and for the firefighters.

The City 1975 offer amounts to a 9.8% increase (10.4% with longevity roll-up) and is higher than that of any Wisconsin city included in the Union survey, the nearest being Green Bay at 9.75% The lowest was 6% at Sheboygan, the only higher firefighter settlements known to the undersigned are 10.2% at Wisconsin Rapids and 10.75% at St. Francis in Milwaukee County, neither being particularly relevant. It is recognized that the La Crosse percentage operates on a lower dollar amount than the others but it is moving in the right direction and the considerations in paragraph 1 above would seem to make greater escalation unwise at this time.

The Union's reliance on the Cost-of-Living escalation is well founded but would seem to be met by the City's above average general increase of 9.8%. The Union, however, might find it advantageous to seek a Cost of Living Adjustment Formula in their next contract.

Finally, Union reliance on public interest and welfare, the prior WERC proceedings results, and the City's ability to pay is not helpful to its position.

Inversely, the City does not plead inability to pay; the prior WERC proceedings results, while interesting, were based on different times and different facts; and the public interest and welfare point of lower fire insurance rates in La Crosse due to firefighter efforts lacks supporting data.

DECISION

The City's final offer of a general \$78.73 increase and a further \$1.27 per month contribution toward family group health insurance is selected.

Dated at Wauwatosa, Wisconsin 6-8-75

John L. Waddleton /s/

John L. Waddleton
Arbitrator