

Public Employment Relations Commission

SUPPLEMENTAL OPINION AND AWARD (on remand)

In the Matter of the Interest Arbitration

between

CITY OF EAST ORANGE

AND

EAST ORANGE FMBA LOCAL 23

Docket No. **IA-2000-56**

Before: Barbara Zausner, Arbitrator

Dated: February 19, 2003

PROCEDURAL HISTORY

This matter is before me on a "limited remand" to explain one aspect of the holiday pay portion of my original award. I sought and was granted an extension of the due date of this supplemental opinion and award to February 28, 2003.

DISCUSSION AND OPINION

The FMBA's proposal was to include holiday pay in base salary for all employees. When holidays were paid on a lump sum basis, they were paid in one check at the end of the year. (Tr., June 12, 2001, p.29). The FMBA's statement that \$4033.00 was the value of holiday pay in 1999 is accurate.

It was my intention that holiday pay would increase by the same amount as the salary rate. The purpose of granting the FMBA's demand to fold holiday pay into base pay is to increase base salaries to a more favorable level without doing unconscionable damage to the City's finances.

Holiday pay would increase naturally with a raise in the base rate. Holiday pay is derived from the base. There would be no reason to freeze holiday pay at 1999 levels while wage rates increased. When holiday pay is folded into base pay, a fair way to do it is to give the holiday pay its full current value. The value of holiday pay as of July 2001 when the fold-in was effective is as calculated by Mr. Knapp in his letter of June 25, 2002.

The table showing how top base pay rates would increase under the award should be corrected as shown below:

July 1, 1999	\$52439		+	1%	=	\$52963
July 1, 2000			+	1%	=	\$53493
July 1, 2001		+\$4114 holidays		8%	=	\$57607
July 1, 2002			+	3.5%	=	\$59623
July 1, 2003			+	3.5%	=	\$61710

The award itself should be changed to show the correct rate value of holiday pay when it is added to the base at the start of July 1, 2001.

By: Barbara Zausner
Barbara Zausner

New York
Ulster

Affirmed before me on February 19, 2003

Joy Stratton Todd

Joy Stratton Todd
Notary Public, State of New York
Qualified in Delaware County No. 4663162
My Commission Expires Jan. 31, 19 2007