Minutes from Arbitration

City of Pocatello
and
Firefighters Local Union #187

Date & Time: January 8, 2019, 11:00 a.m. to 12:57 p.m.

Opened at 11:00 a.m. by Eric B. Lindauer, Esq., Arbitrator

Prior to the commencement of arbitration, Mr. Lindauer, offered the parties an opportunity to negotiate settlement of this matter.

Thereafter, representatives from the City of Pocatello (“City”) and Firefighters Local Union #187 (“Union”) met in a conference room outside City Council Chambers to discuss potential settlement.

At 12:39 p.m., Arbitrator was advised the City and Union had been able to discuss the matter and the City desired to present a settlement offer to the Union, which both parties wished to have recited on the record.

On the record, the Arbitrator began by acknowledging Scott Marotz, representing the City of Pocatello, and Greg Womac, representing the Union.

Mr. Marotz was then invited to recite the settlement offer from the City to the Union.

Mr. Marotz advised that this arbitration stems from a grievance involving six bargaining unit members, two of whom have retired since the filing of the grievance. Between the six employees, approximately 120 vacation hours were lost due to leave cap restrictions.

The City’s settlement offer is as follows:

1. 75% of the vacation hours lost due to the cap will be reinstated to all six employees. As two are now retired, they will be paid out the 75% monetary value of the hours lost. If retired members have received their full buyout of vacation hours, they will not be required to reimburse the City any portion of that payout.

2. Beginning in 2019, Kelly Days will now be populated in the payroll computer system on January 1 of each year instead of October 1. Employees will have until December 31 of that same year to use the Kelly Days. If the Kelly Days have not been utilized, they will be converted to vacation time and will be subject to the maximum vacation cap.

3. The City will prepare a Memorandum of Understanding (“MOU”) to be signed by both parties ratifying the Collective Bargaining Agreement to change the date Kelly Days are to be populated in the payroll system as above recited.
4. The MOU will be presented for approval by the Union at its next meeting on January 16, 2019 and by the City at the next City Council meeting on February 7, 2019. If for any reason, the MOU is not accepted by either party, the accepting party may request further arbitration 60 days after non acceptance. In that instance, the non-accepting party will be responsible for 100% of the arbitration costs and fees.

Mr. Marotz advised it would not be necessary to include the repayment of the 75% of hours lost to the six bargaining unit members in the MOU. However, this repayment is contingent upon acceptance and execution of the MOU by both parties.

This is the full settlement offer by the City.

Mr. Womac accepted this offer on behalf of the Union but wanted to ensure the two retired employees involved in this matter will be compensated at the 75% repayment amount.

Mr. Marotz confirmed.

Mr. Lindauer advised he would like to retain jurisdiction of this matter in the event unforeseen issues came up or if one of the parties did not approve the MOU and arbitration become necessary.

Both parties agreed to his continued jurisdiction of this matter.

Arbitration adjourned at 12:57 p.m.

APPROVED:

Scott Marotz, Representing the City of Pocatello

Greg Womac, Representing Firefighters Local Union #187

Prepared by:

Andrea Henderson, Executive Assistant, City of Pocatello