

Key Civilian Pacts in Place, Linn Set For Contentious Battle With PBA

By DAN ROSENBLUM | Posted: Monday, November 3, 2014 5:45 pm

The Chief Leader

With some of the largest pieces of the city's employee-contract puzzle filled in, city Labor Commissioner Robert Linn said last week it was getting a little harder to place the remaining ones.

"I thought it was hard so far, but we now have the bargaining with police and we're in arbitration with police," he said, adding that that should begin "in the months to come."

PBA Arbitration Coming

Though the city settled contracts with unions for 62 percent of its workers by August, it is having a substantially harder time convincing the police unions to accept the current bargaining pattern, which offers 10-percent raises spread over seven years. The Mayor's Office is due to begin binding arbitration by the Public Employment Relations Board after a mediator found the Patrolmen's Benevolent Association and the city were too far apart to reach terms on their own.

"A panel will be impaneled and we'll start that process," Mr. Linn said at an Oct. 31 breakfast, hosted by New York Law School.

The PBA continued a recent campaign with a full-page newspaper ad Oct. 29 quoting a 2002 statement from Mr. Linn, who at the time was a negotiator for the PBA, to this newspaper: "New York City police salaries are a laughingstock; throughout the nation everyone knows that city cops are underpaid."

The ad challenged Mr. Linn, formerly the city's chief negotiator under Ed Koch, to fairly compensate officers whom the PBA called "overworked, understaffed, underpaid and unappreciated." Mr. Linn was tight-lipped about the ad.

'Paying Police Fairly and Responsibly'



DRAMA TO COME

DRAMA TO COME: During an appearance at New York Law School Oct. 31, city Labor Commissioner Robert W. Linn sidestepped questions about the city's impasse with the Patrolmen's Benevolent Association and other uniformed unions over salaries police say don't keep up with those for cops in the suburbs or other departments that operate in the city.

"I think that an arbitrator's going to hear the issues," he said. "And I think the city will make a very powerful presentation that we are paying fairly and responsibly to the police force."

The union's 25,000 members have worked under an expired contract since 2010.

It has argued that not only does the current pattern not keep pace with cost-of-living increases, but its members already were paid far below police salaries in the suburbs and the Metropolitan Transportation Authority. When he was retained by the PBA in 2000, Mr. Linn argued city cops earned 27 percent less than those in Newark, N.J. This summer, a union spokesman told this newspaper the differential remained in the 20-to-30-percent range.

Details UFT, DC 37 Deals

Through a lecture and question-and-answer session, Mr. Linn outlined the deals with the United Federation of Teachers, District Council 37 and several other municipal-labor unions since January when he resumed leading City Hall's negotiations after a 24-year break. Former Mayor Michael Bloomberg agreed to give unions two 4-percent raises by summer 2008, but as Lehman Brothers collapsed and propelled the nation and the city into a financial crisis, he withdrew those terms for the remaining unions, saying it wouldn't be possible to honor the pattern agreement. He subsequently refused to negotiate new contracts that included retroactive payments.

When Mr. Linn began his tenure as Labor Commissioner, more than 150 unions were working under expired contracts and he was awaiting a Teachers' fact-finding panel as well as two binding arbitration panels covering nursing titles. Those decisions could have awarded "catastrophic costs of the full retroactivity" owed to those who didn't get those raises, costing about \$9 billion and making it "impossible to do any of the collective bargaining with any of the other workers," he noted.

Stretched Out 'Retro'

But Mr. Linn worked with the UFT to stagger some of the largest retroactive payments through 2020 and other agreements that are projected to lower costs. "The very fact that labor relations are not on the front page of the paper is a sign of how effective they've been," he said.

He shared some details on the estimated health-care savings of \$3.4 billion—covering all the municipal unions—through 2018. Those savings include looking to the city to self-insure, making some contracts more cost-competitive by putting them out to bid and reducing emergency-room visits in favor of walk-in centers.

He said the de Blasio administration would also expand wellness programs that emphasize exercise and a better diet in hopes of lowering premiums for a healthier workforce. He related a story from a hospital system that encouraged teams of 10 people to collectively walk enough miles

to get to Paris, with the winning team given a trip there. The initiative was so successful, he said, they sent three teams.

"I found that a fascinating example and we need to do things as creative and as attention-catching as that," he said.

An arbitrator could eventually mandate payroll deduction or co-pay increases if the city and a union health-care committee don't reach enough savings, but Mr. Linn said they would be "at the end of the list."

Fund Won't Expand

He also dismissed reports that, faced with a larger-than-expected number of UFT members who retired before a June 30 deadline to get back pay, the city could end up paying \$50 million on top of the \$180 million it already set aside. He maintained the fund would remain the same size, even if it would have to restructure its payments to fit more retirees, saying "parties can agree to change how the payments are made or can discuss other approaches."

"The issue is about how to make payments, but the fund is \$180 million," he said.

Saul Fishman, president of the Civil Service Bar Association, a Teamsters Local 237 affiliate whose members are still bargaining with the Office of Labor Relations, told Mr. Linn the negotiating atmosphere became "respectful." Still, he said, some agencies are having difficulty attracting and retaining attorneys, particularly among those who have six-figure student loans.

"We decided that we should serve coffee at bargaining sessions," Mr. Linn responded about the change in tone. "The city had never done that before and my sense is it is amazing that when you say to the people you're dealing with, 'Have a cup of coffee,' [just] what it does."

But, he said, "I don't think we can do the bargaining right here."