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**MAYOR BLOOMBERG ANNOUNCES LAWSUIT AGAINST
PUBLIC EMPLOYMENT RELATIONS BOARD TO MOVE PBA
ARBITRATION FORWARD**

City Files Suit in Albany Today; Asks for Immediate Appointment of Arbitrator and Seeks to Proceed to Arbitration in Collective Bargaining Dispute with Patrolmen's Benevolent Association

Mayor Michael R. Bloomberg today announced that New York City, invoking the Public Employment Relations Board's (PERB) rules, has filed suit in Albany County Supreme Court seeking to compel PERB's Director of Conciliation, Richard A. Curreri, to designate the Chairperson of the arbitration panel that is to settle the next contract between the City and the Patrolmen's Benevolent Association (PBA).

"The City has made fair offers to the PBA, one of which would give Police Officers the same raise that Firefighters received while raising the starting salary to \$38,000, but the PBA didn't seem interested in settling this contract so the City filed for arbitration," said Mayor Bloomberg. "What's inexplicable is how PERB has dragged its feet and slowed the arbitration process to a halt instead of appointing a panel to hear the case. This is preventing us from settling this contract and giving Police Officers, rookies and veterans alike, much deserved raises."

"It is unfortunate and puzzling that it has taken this long to appoint a Chairperson," said City Labor Relations Commissioner James F. Hanley. "We have done everything possible to settle this contract. The rules of PERB are quite clear. This is a ministerial act that PERB should complete pursuant to its own rules. It is in the interest of all parties to resolve this contract as quickly as possible."

Under PERB rules, the two sides were to review a list of nine qualified arbitrators that PERB forwarded to the parties on Dec. 12, 2006. Each side had selected a member to represent their perspective, and the sides were to select the impartial Chairperson by having each side alternately strike a name from the list. Rather than participate in the striking process, the PBA objected to the list of arbitrators because, it claimed, two of the

arbitrators listed were not disinterested parties. The PERB rules, however, are clear as to what must occur upon the failure of a party to participate in the striking process – all names on the list are deemed acceptable to it.

In its lawsuit, the City contends that because, by operation of PERB’s rules, all names on the list are deemed acceptable to the PBA. Thus the City choice of the Chairperson, Arnold M. Zack, must be designated. Under PERB’s rules, Director Curreri has no discretion given the PBA’s failure to participate in the selection process; he must immediately designate the arbitration panel and refer the dispute between the City and the PBA to the panel.

The City filed its lawsuit in Supreme Court, Albany County, because that is where PERB’s offices are located. As a result, the matter will be heard on February 16th, 2007 at the County Courthouse at 16 Eagle St., Albany, N.Y. The City’s legal papers include: 1) an Article 78 petition (the formal document that begins the case), 2) an order to show cause (the document formally bringing the matter on for a hearing), and 3) a memorandum of law (that discusses the relevant statutes and cases).

The following is the current new hire salary and the last offer made by the City to the PBA:

Current New Hire Salary Schedule

Police Academy step	\$25,100
Step 1 – after 6 months	\$32,700
Step 2 – after 1.5 years	\$34,000
Step 3 – after 2.5 years	\$38,000
Step 4 – after 3.5 years	\$41,500
Step 5 – after 4.5 years	\$44,100
Step 6 – after 5.5 years	\$59,588

Last Offer to PBA New Hire Salary Schedule

Police Academy step	\$37,800
Step 1 – after 6 months	\$40,000
Step 2 – after 1.5 years	\$41,885
Step 3 – after 2.5 years	\$43,770
Step 4 – after 3.5 years	\$45,655
Step 5 – after 4.5 years	\$47,540
Step 6 – after 5.5 years	\$63,309

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