



unfair labor practices should be consolidated for hearing to be held on September 28, 1999. The representatives agreed to take the matter back to their principals to explore settlement prior to the hearing. Attorney Flygare reported that a hearing continued to be necessary by letter of September 16, 1999.

#### STIPULATED ISSUE

At issue is the correct interpretation of the arbitrator's award. Specifically, the parties will address whether the arbitrator ordered payment to police officers for reporting for "roll call" between July and December, 1997 where the parties signed a collective bargaining agreement in December eliminating unpaid "roll call" retroactive to July, 1997; and, if so, whether the arbitrator ordered payment for the fifteen minutes "roll call" time at an overtime rate, or payment at the three hour minimum "call back" rate?

#### WITNESS AND TIME REQUIRED

The Association intends to present five or fewer witnesses who participated in negotiations for the collective bargaining agreement (CBA) now in effect: Carol Patten, Peter Thomas, John Stewart, Eli Rivera, Randy Tefft. The City will present two witnesses who will testify regarding contract negotiations: John MacLean and Tom Powers. It was agreed that one block of three ours will be required for a thorough hearing of this matter. The method of summation was not decided.


#### EVIDENCE

Joint exhibits are the underlying grievance document, the parties' arbitration briefs and an e-mail sent by Peter Thomas to John MacLean on July 29, 1999 on the subject of the arbitration award of July 22, 1999. In addition to the above mentioned documents, the Association will offer the documents contained in the grievance file and Arbitrator Mark Grossman's decision of July 22, 1999. The City will offer Arbitrator Peter Florey's recent decision in a related case on the subject of "early call." Also, the City will offer attachments to its unfair labor practice complaint including the grievance article of the CBA.

#### DECISION AND ORDER

The party representatives report that they have presented proposals to the parties and no settlement has been reached. The parties shall proceed to the scheduled hearing. The agreements of the parties discussed herein are adopted on matters concerning the conduct of the hearing on September 28, 1999.

Signed this 22nd day of September, 1999.

  
Gail C. Morrison  
Hearing Officer