

Arbitration being planned for Riverview firefighters

Hearings scheduled for February; town administrator calls arbitration process a 'never-ending spiral'

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The Town of Riverview's firefighters have been without a contract for over three years, and the town's chief administrative officer is concerned about how wages might escalate if scheduled binding arbitration hearings proceed.

"We have real concerns that these contracts seem to be being decided by arbitrators as opposed to the open and free collective bargaining process," said David Muir. "The arbitrators seem to be looking at comparables, but certainly in recent years many of the comparables have been decided by arbitrators, so it's sort of a never-ending spiral. It's the arbitrators who decide about the

amount of the salary increases, and they are out of line with other unions in the municipal government world and what non-union folks are getting as well."

Muir said they have 16 full-time firefighters and one administrative assistant who are part of the International Association of Fire Fighters Local 2549. Their work is supplemented by roughly 25 to 30 volunteers.

Their last contract expired March 31, 2011, and attempts to forge a new deal have thus far been unsuccessful.

"We don't discuss labour negotiations, but we have met with the firefighters on numerous occasions, we were unable to come to an agreement. We've gone through the conciliation process and we have an arbitration scheduled for early next year," Muir said, noting those hearings are scheduled for Feb. 25, 26 and 27, 2015, which will be almost four full years since the contract expired.

"It's certainly not normal for us. We did spend a lot of time in negotiations trying to resolve a number of issues

and just were unable to come to an agreement, but it certainly is taking longer than is normal."

Under New Brunswick legislation, there are no strike or lockout rights for firefighters and police officers. When a collective agreement cannot be negotiated between the parties, it goes to arbitration, with a mutually selected third-party arbitrator ruling on the award to be received.

Meanwhile, the Riverview firefighters have remained largely silent on the ongoing contract talks.

In a statement emailed to the Times & Transcript, Dennis Woods, president of the Riverview Professional Firefighters Association, said they have met with the town on "numerous occasions," and collective bargaining "has not resolved all issues."

He noted that both parties have agreed to resolve the remaining issues through arbitration, but he didn't provide further comment.

"In the interest of maintaining a fair

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and equitable process for both parties, it would be unfair of us to comment at this time," Woods' statement reads.

Muir said they share the same concerns about arbitration that were recently raised by Jacques Dubé, Moncton's city manager. Dubé said the binding arbitration process and awards are becoming "unsustainable" and don't take into account a municipality's ability to pay. He said they have led to a growing wage gap between fire and police employees and other municipal workers, which will have trickle-down impacts on the municipal budgeting process and subsequent contract negotiations.

Dubé made his opinions known after an arbitrator recently ruled on a 16 per cent wage increase for the Moncton firefighters over four years, after negotiations failed to lead to a collective bargaining agreement.

A working group led by the Cities of New Brunswick Association is currently brainstorming ideas and possible amendments to the Industrial Relations Act, in hopes of presenting a solution to the provincial government sometime in 2015.

Riverview's last contract with firefighters, which ran from 2007 to 2011, was decided by binding arbitration. The end result was an arbitration ruling for a 12.9 per cent total increase over four years – a three per cent jump, then three years of 3.3 per cent increases. The current, yet expired, contract saw a first-class firefighter in Riverview make \$24.67 an hour (\$53,879 per year based on 2,184 hours worked) in the first year of the contract, and \$27.19 (\$59,383 per year) by the end of the contract. Lesser-ranked firefighters made between \$16 and \$24 an hour, roughly \$35,000 to \$52,000 per year, throughout the previous contract.

According to figures released by the City of Moncton, a first-class firefighter in Moncton earned \$58,858 per year as of Dec. 31, 2008. By the end of the last contract, on Dec. 31, 2011, that had risen to \$67,007 per year. By the end of 2015, the annual wage will be \$78,400.

A lieutenant in Moncton earned

\$61,212 per year by the end of 2008, a total of \$69,687 by the end of 2011, and will earn \$81,536 by the end of 2015.

A captain in Moncton made \$64,744 in 2008, grossed \$73,707 in 2011, and will get \$86,240 by the end of 2015. A division chief's salary has climbed from \$70,041 to \$79,738 to \$93,296 under the last two arbitrations.

The salaries do not include overtime, service pay or statutory holidays.

But Muir noted that a town like Riverview is not directly comparable to firefighter salaries for cities like Moncton, Saint John and Fredericton; they are more often compared to smaller municipalities.

"It gets difficult to calculate that because our guys had been without a salary (increase) for so long. Then you have to sort of project right now Moncton is at this level, our guys haven't had an increase for say three years, so it's really hard to see the direct comparability," he said.

Muir said they are trying as best as possible to prepare for what might increase might be coming.

"Certainly we accrue each year an estimated increase. We do allow in our budget process for an increase, so we do have a liability set up for an estimated increase, so it's not like it would hit you all in one year," he said. "It's no different than having an expense at the end of the year you haven't paid for yet ... We have done that to a certain extent. Whether we've accrued enough, we'll never know until the award is actually made, if we actually go through the arbitration process."

But Muir holds out hope that a solution could be found before the case has to head to arbitration.

"Certainly (the hearing) is scheduled and we're planning to, but there's always the opportunity for the two sides to settle an issue before it actually goes through the process. That opportunity always exists," he said.

"I would never say the talks have broken down. We're always willing to talk, but sometimes you are so far apart that both sides realize there doesn't seem to be much productivity in talking. But I would never say that talks have completely broken down."