

THE MATTER OF ARBITRATION BETWEEN

City of Ely, Minnesota)	BMS Case No. 11PN1163
)	
“Employer”)	Issue: Interest Arbitration
)	
)	Hearing Date: 09-20-20112
and)	
)	Brief Submission Date: 10-19-2012
)	
Law Enforcement Labor Services Inc.)	Award Date: 11-19-2012
Local # 55)	Amended Award Date: 01-25-2013
)	
)	Anthony R. Orman,
“Union”)	Arbitrator
)	

JURISDICTION

The hearing in this matter was held on September 20, 2012, in Ely, Minnesota. The parties appeared through their designated representatives. Both parties were afforded a full and fair opportunity to present their case. Exhibits were introduced into the record. The parties stated the issues as certified by the Minnesota Bureau of Mediation Service were properly before the Arbitrator. The parties submitted their statement of the issues and final positions. Post-hearing briefs were submitted on or before October 19, 2012, and thereafter the matter was taken under advisement. The original award was made on November 19, 2012. On December 12, 2012 the Employer, under the provision, “This award is final and binding and the undersigned **retains jurisdiction over the case for the limited purpose of overseeing the intended implementation** of this ward.” (emphasis

added), requested a clarification of Section G. of the award. After communications with the Union the Arbitrator agreed to review the request.

APPEARANCES

For the Union:

Kim Sobieck Business Agent By electronic mail

For the Employer:

Kelly Klun Attorney by electronic mail

I. BACKGROUND AND FACTS

On December 12, 2012, the Employer requested a review of Section G. of the award. Included was a letter, followed up in hard copy, with the specific request.

On December 16, 2012 the Arbitrator forwarded the Employer’s request to the Union.

The parties communicated by electronic mail and came to an agreement as to the language necessary to implement the intent of the Arbitrator’s award.

The language, which was formulated in the letter of January 6, 2013 from the Employer, is changed as follows:

G. Health – HAS/HRA Adjustments, if any, **2013** – Art 20

The Employer’s proposed ~~premium~~ contributions: ~~of \$4,000.00 Family annual contribution or \$333.33 per month and \$2,000.00 Single annual contribution or \$166.67 per month effective January 1, 2013.~~

For the HealthPartners Choice 300-25 Plan: 2013

\$225.00- Family annual contribution or \$18.75 per month

\$75.00- Single annual contribution or \$6.25 per month

For the Empower \$2500/80% Plan: 2013

\$1,250.00- Family annual contribution or \$104.17 per month

\$625.00- Single annual contribution or \$52.08 per month

The Employer is required to provide a period of open enrollment with proper notice of one week and a selection period of two weeks for employees in this bargaining unit to change health plans prior to implementation of insurance of premium or annual contribution rates.

II. AWARD

For all the reasons set forth by the Arbitrator in the discussion the award is amended in Section G as follows:

G. Health – HAS/HRA Adjustments, if any, 2013 – Art 20

The Employer's proposed contributions:

For the HealthPartners Choice 300-25 Plan: 2013

\$225.00- Family annual contribution or \$18.75 per month

\$75.00- Single annual contribution or \$6.25 per month

For the Empower \$2500/80% Plan: 2013

\$1,250.00- Family annual contribution or \$104.17 per month

\$625.00- Single annual contribution or \$52.08 per month

The Employer is required to provide a period of open enrollment with proper notice of one week and a selection period of two weeks for employees in this bargaining unit to change health plans prior to implementation of insurance of premium or annual contribution rates.

This award is final and binding and the undersigned retains jurisdiction over the case for the limited purpose of overseeing the intended implementation of this award,

Issued and ordered on this 25 day of December,
2013 from Duluth, Minnesota.

Anthony R. Orman, Labor Arbitrator