

DISSENTING OPINION

In the matter between the Brookline Police Department and the Town of Brookline, I concur with the vast amount of the decision as drafted by Arbitrator O'Brien with the exception of an award for POST

The Police Reform Act enacted by the State legislature I believe the tripartite panel agreed; was the result of a knee jerk reaction by the State legislature in response to national poor policing issues that had arisen, without limited input from members of law enforcement.

The Union request for a stipend to be awarded for adhering to a State mandated requirement to be awarded by a neutral Arbitrator I believe is something that should be sent back to the respective municipalities to negotiate, and not be subject to an Arbitrator's decision. Throughout my limited history in Municipal government, my experience has been that any new benefit is the result of negotiation between the Municipality and respective Union.

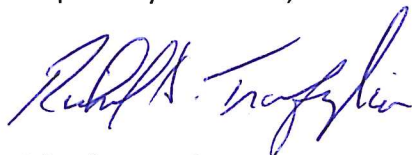
In the matter of Westport which recently settled with an award for POST, the position of the Town was to provide said stipend as a means of maintaining their COLA pattern with other settled contracts. The Town of Brookline opposed any stipend for said certification from the get go, and in my opinion was wrongfully allowed to be certified as an issue by the Chair.

In addition, I have difficulty awarding a stipend for certification as a condition of employment when other Municipal employees such as Teachers and EMT staff are held to certification requirements without the benefit of stipend being added for said certifications.

Furthermore, in the midst of a current national recession to award new stipends adds an additional burden to taxpayers of communities, and doesn't address the core issue of the implementation of the certification requirements as established.

In summation, I do not support the decision as issued regarding any stipend awarded for POST certification by the other two distinguished members of the tripartite panel in the matter of the Brookline Police Union, and the Town of Brookline,

Respectfully submitted,



Richard D. Tranfaglia

Management Member

CONCLUSION

The collective bargaining agreement between the Brookline Police Union and the Town of Brookline, effective July 1, 2020 through June 30, 2023, shall be adjusted in accordance with the forgoing section of this decision entitled "Award." These adjustments are supported by the evidence presented by the parties. The panel considered and weighed the evidence presented in accordance with the statutory factors listed in Chapter 589 of the Acts of 1987.

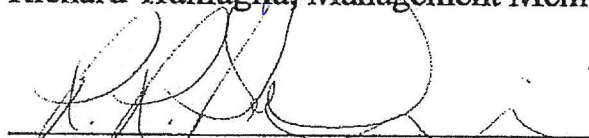

Theodore H. O'Brien, Chair

Dated: April 25, 2023


Richard Tranfaglia, Management Member

Dissent Opinion ATTACHED

Dated: 4-27-23


Richard Pedrini, Labor Member

Dated: 4/25/2023