



THE COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF LABOR RELATIONS  
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JOINT LABOR-MANAGEMENT  
COMMITTEE FOR  
MUNICIPAL POLICE AND FIRE  
JOHN W. HANSON  
CHAIR

**MEETING MINUTES**  
**FOR DECEMBER 1, 2017**  
**3(A) HEARING**

Pursuant to M.G.L. c. 30A § 20(c), and the Open Meeting Law Regulations, 940 CMR 29.03 (6), a 3-Member Panel ("Panel") of the Joint Labor-Management Committee for Municipal Police and Fire ("JLMC") convened pursuant to Section 1, subsection 3(a), of Chapter 589 of the Acts of 1987, in the matter of **IBPO Local 383 and the Town of Avon, JLM-16-5322**, on:

DATE: December 1, 2017  
TIME: 10:00 A.M.  
LOCATION: Offices of the Joint Labor-Management Committee,  
19 Staniford St., 1<sup>st</sup> Floor, Boston, MA 02114-2502

**PANEL MEMBERS PRESENT:** Chairman John Hanson; JLMC Member for Management, Frank Frederickson; JLMC Member for Labor, Billy DeMille

**STAFF PRESENT:** Senior Staff Reps. Donald Cummings (Labor) and George Driscoll (Management)

**ATTORNEYS & Authorized Representatives:** Scott Bettencourt (Attorney for Town of Avon), Bill Chiasson (Representative for IBPO Local 383)

**OTHERS PRESENT:** Carol Gookin, Mediator; Francis Crimmins, Town Administrator; Brian McCarthy, IBPO Local 383.

**OPEN SESSION:**

Chairman John Hanson called the meeting to order at 1:10 PM for the purpose of holding a hearing pursuant to Section 1, subsection 3(a), of Chapter 589 of the Acts of 1987 with the understanding that the Parties would participate in a mediation facilitated by the Panel Members and the Staff prior to the opening of such hearing in relation to the following matter:

- **IBPO Local 383 and the Town of Avon, JLM-16-5322**

The parties participated in a mediation session but were unable to come to an agreement.

The Union and the Town had previously submitted their statements of Issues for purposes of the 3(a) hearing and for arbitration which are attached hereto as Town Exhibit #1 and Union Exhibit #1, respectively, and are part of the record of this meeting and the 3(a) hearing.

Mr. Chaisson presented for the Union. Mr. Chaisson designated the Union's issues as wages, duration, bi-annual shift bidding, modification to the step scale, and increased bonus for fitness test as set out in the Union's submittal attached as Union Exhibit #1. The Union requested issue by issue arbitration by a tripartite panel and that mediation precede arbitration.

Attorney Bettencourt presented for the Town. Mr. Bettencourt designated the Town's issues as wages, duration, light duty, and overtime procedure as set forth in the Town's submittal attached as Town Exhibit #1. Mr. Bettencourt requested issue by issue arbitration by a tripartite panel.

Attorney Bettencourt argued that the Union's Issue #6, Taser Stipend was not proposed in bargaining. After a brief recess to caucus, Mr. Chaisson withdrew issue #6 on behalf of the Union.

**Panel Member Frederickson made a motion to:** recommend that the Committee vote to send the case to arbitration by a tripartite panel consisting of Frank Frederickson, Billy DeMille and a neutral selected by the parties in the usual manner, on an issue by issue basis, as set forth in the submissions of the parties except that Union Issue #6 is withdrawn and Union Issue #2 applies only to the three positions now existing in the department. The Motion was seconded by Panel Member DeMille. The Motion passed unanimously.

There being no further business before the Panel, Chairman Hanson adjourned the hearing and the meeting at approximately 1:35 PM.

Minutes prepared by George Driscoll, Senior Staff

(Approved 8/23/18)