

STATE OF FLORIDA

IN THE PUBLIC EMPLOYEES RELATIONS COMMISSION

Case No.: SM-2011-022

Special Magistrate: Martin O. Holland, Esq.

Hillsborough Area Regional Transit (HART)

vs.

Amalgamated Transit Union, Local 1593

**ACCEPTANCES AND SPECIFIC REJECTIONS OF EMPLOYER, HART**

**TO SPECIAL MAGISTRATE RECOMMENDATIONS ON IMPASSE RESOLUTION**

**I. Introduction**

On July 5, 2011 the special magistrate rendered his Discussion and Recommended Decision in the captioned matter. HART received this decision by mail on July 7, 2011. This response both accepts and specifically rejects points of that recommended decision, pursuant to §447.403, Florida Statutes. This response is timely filed.

**II. HART Accepts Three Recommendations of the Special Magistrate**

On impasse Articles 56, Paratransit Van Operators; 60, Time Allowances (Pre-Trip); and, 61, Transportation Bid, HART accepts the recommended decisions of the Special Magistrate. HART understands the recommended decisions on these articles to be *status quo*.

**III. HART Rejects Three Recommendations of the Special Magistrate**

On impasse Articles 43, Health Insurance Premiums; 51A, Wages; and, 54, Extra Board Operators, HART specifically rejects the recommended decisions of the special magistrate.

*Article 43 – Health Insurance Premiums*

The special magistrate concurred in HART's position that cost-shifting is required. The special magistrate recommended however, that on the issue of employee-only coverage, ATU employees would pay "\$55.00 per month rate for the 475 "single rate" coverage, giving HART \$313,500.00 in yearly revenue." *Recommended Decision*, at p.12. HART proposed a \$110.00 per month rate for single rate coverage.

The special magistrate's recommended decision to decrease by half the cost-shifting of healthcare premium payments for employee-only coverage is specifically rejected as insufficient to meet HART's revenue shortfall. HART accepts that portion of the special magistrate's recommendation that healthcare premium costs must be shared by employees, for employee-only coverage.

*Article 51A – Wages*

The special magistrate recommended that HART add 1% to base wages for ATU members. The cost projection on this recommendation approximates \$250,000.00 for FY10-11 alone. Added to base with a reopener for FY11, the 1% now becomes \$500,000.00 minimum in non-budgeted expenses over a two-year period that is reduced to one year, plus 2 months, with retroactive wage adjustments to October 1, 2010. This increase does not include increases in the blended overtime rate after 1% is added to base wages. Accordingly, HART specifically rejects the special magistrate's recommendation to increase wages by 1%.

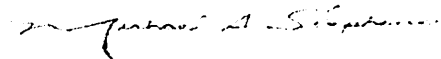
*Article 54 – Extra Board Operators/Procedures*

The special magistrate recommended that HART and ATU pilot a two extra board program for a period of six months, finding that HART could not make unilateral changes to its extra board without impact bargaining. HART can impact bargain with ATU on the issue of extra boards. However, cost projections for returning to this system for six months represents \$250,000.00 in increased wages over that short period of time. HART specifically rejects the special magistrate's recommendation to run two extra boards on a pilot basis for a period of six months.

**IV. CONCLUSION**

For the reasons stated above, HART specifically rejects the recommendations of the special magistrate on Articles 43, 51A and 54.

Respectfully submitted,  
HILLSBOROUGH AREA REGIONAL TRANSIT



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Dated: July 20, 2011

Cf: Special Magistrate Decision, Case No.: SM-2011-022