

### **Mediation and Arbitration, what's the Difference and What is COBA doing on Behalf of Its Members?**

Mediation is a process by which both sides of a conflict are assisted into finding a middle term, mediation is sometimes a negotiation with the difference that it is supervised by a person or authority empowered to oversight and leads the process.

When mediation fails, then the litigation or conflict may be placed under arbitration. This process is fully directed by a person or authority empowered as arbitrator who has in fact the same powers of a judge but limited to the conflict in question. Arbitration is not directed to find a middle term which is to be agreed upon by the sides, but it is directed to conclude and impose a final decision or resolution of the conflict in the fairest possible way following justice and **after hearing and studying the versions of both sides.**

During mediation both sides in a conflict take part in the final decision while in arbitration they can only present their claims but have no part in the final decision.

As it relates to COBA, after four years we are back in Mediation. This means after four years we are back at the beginning stages of negotiation. Some of you may ask how did this happen? Could they have sold us out? They give this lame excuse we are waiting on County PD.

The executive branch of COBA went with an old 90's playbook by going after County PD. It's said in political circles that our COBA leadership turned down a FOUR year deal. An offer was made to COBA leadership and they didn't even bring it back to the membership. Again, they stand and claim that they are Pro- Union but there decisions continue to make us a POOR Union.

Mr. Portella has stated that we always went behind county PD. As 2<sup>nd</sup> Vice President of COBA his knowledge of COBAs history is shamefully inaccurate. When I served on the Negotiation Committee, COBA was in arbitration at the SAME TIME as County PD. Because our arbitration process was parallel, we did not use County PD as a comparison we used Yonkers PD because they were close in numbers. We also asked the arbitrator to take County PD discussions into consideration if their decision came before ours. The Arbitrator accepted. When you're politically strong you can do things like that. When your not you get played; like gong back to mediation after almost four years of it! Maybe your ghost writer Delbene should have told you this before you made your statement. He's making you look silly.

County PD was smart enough to go into arbitration so the change in county government wouldn't affect their arbitration process. This is why they have a contract and COBA is left scratching their heads and looking confused on News 12.

How does this affect us Mr. Portella? Without a raise in **07,08,09,10**, the monetary value of our checks is less and less. Consumer prices rose by **4.1** percent for all of **2007**, up sharply from a **2.5** percent increase in **2006**, according to the Labor Department. Without a raise, Correction Officers are feeling the pain when they filled up their gas tanks or shop for groceries. Prices for both energy and food shot up by the largest amount since **1990**. Hard working COBA members have repeatedly taking loans from their retirement and some tapped out credit cards at rates of **4-7%** just make ends meet. Interest rates as of March 2010 are **4.25 % and higher**. Hence, the money that you will receive is not worth the same in **2010** as if it was if you got it in **07 and 08**. As our COBA leadership remains in limbo with our negotiations, other police departments have been moving forward settling contracts for **3.8-4 percent** all the way up to 2010. County Exec Astorino said on News 12, because of the budget constraints, unions will have to give back. This is why I said, *"For the older officers going this long without a raise, this is money we will never get back and for the younger officers, you will never catch up to the rest of Law Enforcement in work and pay compensation."* I hope you get it now, as 2<sup>nd</sup> Vice President you should have understood it or maybe your ghost writer Delbene would have explained it to you before he wrote it.

I also got a good laugh when Mr. Portella and his ghost writer Delbene called me an empty suit. At least I have a suit. I think you should try wearing one now and then and look like a VP and representative of the largest law enforcement union in Westchester, and then you might act like one. There's an old saying. You think Cheap, You act Cheap, you become Cheap, so your treated Cheaply.

