

Bond Case Briefs

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City of Allentown v. International Ass'n of Fire Fighters Local 302

Commonwealth Court of Pennsylvania - August 7, 2015 - A.3d - 2015 WL 4680890

Union and city petitioned to vacate final interest arbitration award. The Common Pleas Court entered order. City sought review.

The Commonwealth Court held that:

- Requiring city to employ a minimum number of firefighters per shift was not properly the subject of collective bargaining under Act 111, and
- Arbitration panel could not properly eliminate ability of firefighter to buy time for calculation of pension benefits and the ability to retire at any age.

By requiring city to employ a minimum number of firefighters per shift, arbitration award unduly burdened city's managerial responsibilities and, thus, was not properly the subject of collective bargaining under Act 111, which governed policemen and firemen collective bargaining.

Arbitration panel in proceeding under Act 111, which governed policemen and firemen collective bargaining, could not properly eliminate ability of firefighter employed by home-rule charter city to buy up to four years of time for calculation of pension benefits and the ability to retire at any age. Provisions were illegal under Third Class City Code, which governed the city prior to its adoption of home rule, and required a minimum of 20 years of continuous service and a minimum age of 50 years for receipt of pension funds.