

Buffalo Fiscal Stability Authority  
Resolution No. 11-05

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Whereas, the Buffalo Fiscal Stability Authority on April 21, 2004 adopted Resolution No. 04 – 35 "Wage Freeze" freezing wage increases of City of Buffalo employees effective immediately; and

Whereas, the resolution specifically prohibited the payment of increases in wages which would take effect after the date of the wage freeze notwithstanding the fact that the increases related to work performed prior to the effective date of the wage freeze; and

Whereas, in 2004 the Buffalo Professional Firefighters Local 282 and the City commenced compulsory interest arbitration proceedings relating to the period July 1, 2002 through June 30, 2004; and

Whereas, the arbitration proceedings between the City and the Firefighters Union regarding the period from July 1, 2002 through June 30, 2004 were concluded with the issuance of an opinion and award dated February 16, 2011; and

Whereas, the opinion and award of the arbitration panel awards pay increases and other benefits which had not taken effect as of the time of the imposing of the wage freeze; and

Whereas, the wage freeze was lifted by the Authority on July 1, 2007; and

Whereas, the City's Corporation Counsel inquired of the Authority as to whether the wage increases provided in the opinion and award can be paid by the City for the period prior to July 1, 2007; and

Whereas, the Authority has the duty to protect the fiscal stability of the City of Buffalo and to insure compliance with the wage freeze;

Now therefore be it resolved as follows:

The Authority determines that the wage freeze adopted by the Authority effective April 21, 2004 and the Buffalo Fiscal Stability Authority Act suspends and prohibits payment of the wage increases and benefits awarded in the opinion and award dated February 16, 2011, because the increases were not in effect prior to the commencement of the wage freeze on April 21, 2004; and be it further

Resolved that pursuant to section 3858(2)(o) of the Act, the Buffalo Fiscal Stability Authority orders that any increase in wages or other benefits provided in the opinion and award to the Buffalo Professional Firefighters Association Inc. Local, 282 for the period beginning July 1, 2002 through June 30, 2004 not be paid for any period prior to July 1, 2007.

This Resolution shall take effect immediately.

Approved May 11, 2011

/S/ George Arthur

George Arthur,  
Secretary