

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
109TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. S-184)

SENATE AMENDMENT "B" to H.P. 824, L.D. 1035, Bill,
"AN ACT to Modify the Dispute Resolution Process under
the Labor Statutes."

Amend the bill by striking out everything after the
enacting clause and inserting in its place the following:

'Sec. 1. 26 MRSA §965, sub-§2, ¶E, as amended by
PL 1975, c. 564, §16, is repealed and the following enacted
in its place:

E. The Executive Director of the Maine Labor
Relations Board shall serve as Executive Director
of the Panel of Mediators. He shall annually, on or
before the first day of July, report to the Governor.

The Executive Director,

upon request of one or both of the parties to
a dispute between an employer and its employees shall,
or upon his own motion or motion of the Maine Labor
Relations Board may proffer the services of one or
more members of the panel to be selected by him to
serve as mediator or mediators in such a dispute.

Once so selected, the mediator or mediators shall meet
with the parties to determine if a bona fide impasse
actually exists and that the parties have bargained in
good faith. If the mediator or mediators determine
that either a bona fide impasse does not exist or that
one or both parties have not bargained in good faith,

then the mediator or mediators may stop the mediation process and order both parties back to the negotiations' table to bargain collectively until the mediator or mediators determine otherwise.

If the mediator or mediators determine that the parties should not return to the negotiations' table to bargain collectively, then the mediator or mediators shall exert every reasonable effort to encourage the parties to settle their differences by conference or other peaceful means.

If the mediator or mediators are unable to obtain an amicable settlement of the dispute between the parties, it shall then be the duty of the mediator or mediators to advise the parties of the services available to assist them in the settlement of their dispute. At this time, the mediator or mediators shall submit a written report to both parties and the executive director stating the action or actions that have been taken and the results of their endeavors.

Either party, the mediator or mediators, or the Executive Director of the Maine Labor Relations Board may make public the contents of the mediation report and the recommendations of the mediator or mediators.

Sec. 2. 26 MRSA §965, sub-§2, ¶G, is repealed.

Sec. 3. Appropriation. The following funds shall be appropriated from the General Fund to carry out the purposes of this Act.

	<u>1979-80</u>	<u>1980-81</u>
MAINE LABOR RELATIONS BOARD		
Personal Services	\$3,938	\$5,250
All Other	<u>1,575</u>	<u>2,100</u>
Total	\$5,513	\$7,350

Statement of Fact

The purpose of this amendment is to retain factfinding⁽⁻⁾ as a dispute resolution procedure and to add an appropriation to the bill.

(Sutton)
 NAME: Roland Sutton
 COUNTY: Oxford

Reproduced and distributed pursuant to Senate Rule 11-A.

May 14, 1979

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