

any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute;

(5) "Representative" means any person or labor organization designated or selected for the purpose of collective bargaining by a majority of the employees in a unit appropriate for such purpose;

(6) "Labor dispute" includes any controversy concerning rates of pay, wages, hours, or terms, tenure or conditions of employment.

*12F. Certification of Disputes Between Public Utility Employers and Their Employees.*

(1) In the event that the Commissioner of Labor and Industry finds that a labor dispute has not been settled by collective bargaining and imminently threatens a substantial interruption in the rendering of public utility services he shall certify such dispute to the Governor. The Governor shall thereupon conduct such investigation of the dispute as he deems appropriate under the circumstances. The investigation shall include, unless the Governor deems it impracticable, an informal hearing at which the parties to the dispute shall be heard upon the sole question of whether the interruption is imminent or exists and would or does curtail the availability of public utility services to such an extent as to endanger the health ~~or~~, safety, OR GENERAL WELFARE of the community. If the Governor so finds and proclaims, and if the Governor further finds and proclaims that the intervention of government will be in the public interest and in accordance with the expressed policy of this sub-title, then he is authorized to invoke the following procedure for the settlement of the dispute:—

(2) The Governor may request the parties voluntarily to submit the dispute to an Emergency Board of Arbitration of 3 members, chosen as set forth in ~~Subsection~~ SECTION 12K ~~below~~ OF THIS SUB-TITLE, empowered to recommend the terms upon which the parties should settle the dispute, whenever its recommendations are made subsequent to the date on which the last agreement was terminated or to be changed, the recommendations of the Emergency Board shall be retroactive to such date on each issue on which such retroactivity is possible; ; OR, IN THE EVENT THE PARTIES SHALL NEGLECT OR REFUSE FOR A PERIOD OF 15 DAYS OR SUCH GREATER PERIOD NOT IN EXCESS OF 60 DAYS AS MAY BE MUTUALLY AGREED TO BY THE PARTIES, AFTER SEIZURE OF THE PUBLIC UTILITY PURSUANT TO THE PROVISIONS OF THIS SUB-TITLE, TO EFFECT SETTLEMENT OF THEIR DISPUTE, EITHER BY VOLUNTARY AGREEMENT OR SUBMISSION TO BINDING ARBITRATION, THEN THE GOVERNOR SHALL, BY HIS ORDER, DIRECT THE FORMATION OF AN EMERGENCY BOARD OF ARBITRATION AS HEREIN PROVIDED, AND THE SUBMISSION OF SUCH DISPUTE THERETO FOR DETERMINATION, WHICH DETERMINATION SHALL BE BINDING UPON THE PARTIES IN ACCORDANCE WITH ITS TERMS.

(3) THE EMERGENCY BOARD OF ARBITRATION SHALL, AFTER REASONABLE NOTICE TO ALL PARTIES, PROMPTLY HOLD HEARINGS AND SHALL HAVE THE POWER TO ADMINISTER OATHS AND REQUIRE THE ATTENDANCE OF WITNESSES AND THE PRODUCTION OF SUCH BOOKS, PAP-