

AND REMEDIES OF URBAN MASS TRANSPORTATION ACT.

THE RIGHTS, BENEFITS, AND OTHER EMPLOYEE PROTECTIVE CONDITIONS AND REMEDIES OF §13(C) OF THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED (49 U.S.C. 1609(C)), AS DETERMINED BY THE SECRETARY OF LABOR, SHALL APPLY TO THE OPERATION BY THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY OF ANY MASS TRANSIT FACILITIES OWNED OR CONTROLLED BY IT AND TO ANY CONTRACT OR OTHER ARRANGEMENT FOR THE OPERATION OF TRANSIT FACILITIES. WHENEVER THE AUTHORITY SHALL OPERATE ANY TRANSIT FACILITY OR ENTER INTO ANY CONTRACTUAL OR OTHER ARRANGEMENTS FOR THE OPERATION OF SUCH TRANSIT FACILITY THE AUTHORITY SHALL EXTEND TO EMPLOYEES OF AFFECTED MASS TRANSPORTATION SYSTEMS FIRST OPPORTUNITY FOR TRANSFER AND APPOINTMENT AS EMPLOYEES OF THE AUTHORITY IN ACCORDANCE WITH SENIORITY, IN ANY NON SUPERVISORY JOB IN RESPECT TO SUCH OPERATIONS FOR WHICH THEY CAN QUALIFY AFTER A REASONABLE TRAINING PERIOD. SUCH EMPLOYMENT SHALL NOT RESULT IN ANY WORSENING OF THE EMPLOYEE'S POSITION IN HIS FORMER EMPLOYMENT NOR ANY LOSS OF WAGES, HOURS, WORKING CONDITIONS, SENIORITY, FRINGE BENEFITS AND RIGHTS AND PRIVILEGES PERTAINING THERETO.

(B) DEALING WITH EMPLOYEES THROUGH ACCREDITED REPRESENTATIVES.

THE AUTHORITY SHALL DEAL WITH AND ENTER INTO WRITTEN CONTRACTS WITH EMPLOYEES AS DEFINED IN § 152 OF TITLE 29, UNITED STATES CODE, THROUGH ACCREDITED REPRESENTATIVES OF SUCH EMPLOYEES OR REPRESENTATIVES OF ANY LABOR ORGANIZATION AUTHORIZED TO ACT FOR SUCH EMPLOYEES CONCERNING WAGES, SALARIES, HOURS, WORKING CONDITIONS, AND PENSION OR RETIREMENT PROVISIONS.

(C) ARBITRATION OF LABOR DISPUTES.

IN CASE OF ANY LABOR DISPUTE INVOLVING THE AUTHORITY AND SUCH EMPLOYEES WHERE COLLECTIVE BARGAINING DOES NOT RESULT IN AGREEMENT, THE AUTHORITY SHALL SUBMIT SUCH DISPUTE TO ARBITRATION BY A BOARD COMPOSED OF THREE PERSONS, ONE APPOINTED BY THE AUTHORITY, ONE APPOINTED BY THE LABOR ORGANIZATION REPRESENTING THE EMPLOYEES, AND A THIRD MEMBER TO BE AGREED UPON BY THE LABOR ORGANIZATION AND THE AUTHORITY. THE MEMBER AGREED UPON BY THE LABOR ORGANIZATION AND THE AUTHORITY SHALL ACT AS CHAIRMAN OF THE BOARD. THE DETERMINATION OF THE MAJORITY OF THE BOARD OF ARBITRATION, THUS ESTABLISHED SHALL BE FINAL AND BINDING ON ALL MATTERS IN DISPUTE. IF AFTER A PERIOD OF TEN DAYS FROM THE DATE OF THE APPOINTMENT OF THE TWO ARBITRATORS REPRESENTING THE AUTHORITY AND THE LABOR ORGANIZATION, THE THIRD ARBITRATOR HAS NOT BEEN SELECTED, THEN EITHER ARBITRATOR MAY REQUEST THE FEDERAL MEDIATION AND CONCILIATION SERVICE TO FURNISH A LIST OF FIVE PERSONS FROM WHICH THE THIRD ARBITRATOR SHALL BE SELECTED. THE ARBITRATORS APPOINTED BY THE AUTHORITY AND THE LABOR ORGANIZATION, PROMPTLY AFTER THE RECEIPT OF SUCH LIST SHALL DETERMINE BY LOT THE ORDER OF