

(2) (i) The parties shall conclude negotiations before January 1 for any item requiring an appropriation of funds for the fiscal year that begins on the following July 1.

(ii) In the budget bill submitted to the General Assembly, the Governor shall include any amounts in the budgets of the principal units required to accommodate any additional cost resulting from the negotiations, including the actuarial impact of any legislative changes to any of the State pension or retirement systems that are required, as a result of the negotiations, for the fiscal year beginning the following July 1 if the legislative changes have been negotiated to become effective in that fiscal year.

(3) (I) IF THE PARTIES DO NOT CONCLUDE NEGOTIATIONS FOR THE NEXT FISCAL YEAR BEFORE OCTOBER 25, EITHER PARTY MAY REQUEST THAT A FACT FINDER BE EMPLOYED TO RESOLVE THE ISSUES.

(II) THE FACT FINDER SHALL BE EMPLOYED NO LATER THAN NOVEMBER 1.

(III) A FACT FINDER SHALL BE A NEUTRAL PARTY APPOINTED BY ALTERNATE STRIKING FROM A LIST BY THE PARTIES PROVIDED:

1. BY THE FEDERAL MEDIATION AND CONCILIATION SERVICE; OR

2. UNDER THE LABOR ARBITRATION RULES OF THE AMERICAN ARBITRATION ASSOCIATION.

(IV) THE FACT FINDER:

1. MAY GIVE NOTICE AND HOLD HEARINGS IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT;

2. MAY ADMINISTER OATHS AND TAKE TESTIMONY AND OTHER EVIDENCE;

3. MAY ISSUE SUBPOENAS; AND

4. BEFORE NOVEMBER 20, SHALL MAKE WRITTEN RECOMMENDATIONS REGARDING WAGES, HOURS, AND WORKING CONDITIONS, AND ANY OTHER TERMS OR CONDITIONS OF EMPLOYMENT THAT MAY BE IN DISPUTE.

(V) THE WRITTEN RECOMMENDATIONS OF THE FACT FINDER SHALL BE DELIVERED TO THE GOVERNOR, THE EXCLUSIVE REPRESENTATIVE, THE PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE HOUSE OF DELEGATES BY THE SECRETARY ON OR BEFORE DECEMBER 1.

(d) (1) A memorandum of understanding that incorporates all matters of agreement reached by the parties shall be executed by the exclusive representative and:

(i) for a memorandum of understanding relating to the State, the Governor or the Governor's designee;