

SUBTITLE OR OTHERWISE VIOLATES THIS SUBTITLE, THE PARTY SHALL PETITION THE LABOR RELATIONS ADMINISTRATOR FOR A DETERMINATION OF WHETHER THE BARGAINING PROPOSAL IS A NEGOTIABILITY DISPUTE THAT CONTRAVENES THIS SUBTITLE.

(B) PROCEDURE FOR RESOLVING DISPUTE.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE PROCEDURE FOR RESOLVING A NEGOTIABILITY DISPUTE SHALL FOLLOW THE PROCEDURE FOR REVIEWING UNFAIR LABOR PRACTICE CHARGES.

(2) THE LABOR RELATIONS ADMINISTRATOR MAY SHORTEN THE TIME PERIODS OR ORDER ANY EXPEDITED PROCEDURE APPROPRIATE UNDER THE CIRCUMSTANCES.

(C) ADMINISTRATOR MAY ORDER WITHDRAWAL OF PROPOSAL.

THE LABOR RELATIONS ADMINISTRATOR MAY ORDER A PARTY TO WITHDRAW ALL OR PART OF A BARGAINING PROPOSAL THAT CONTRAVENES THIS SUBTITLE.

(D) DECISION AND ORDER ARE FINAL.

A DECISION AND ORDER UNDER THIS SECTION IS FINAL UNLESS IT IS APPEALED FOR BEING ARBITRARY, CAPRICIOUS, OR EXCEEDING THE AUTHORITY OF A PARTY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 44A, § 2-106(k).

In subsection (a) of this section, the reference to the rights and duties of the Montgomery Commission under "§ 16-314" of this subtitle is substituted for the former reference to "subsection(s)" – now revised at § 16-316 of this subtitle – for accuracy.

The Housing and Community Development Article Review Committee notes, for consideration by the General Assembly, that subsection (d) of this section indicates that a decision and order may be appealed for being arbitrary, capricious, or exceeding the authority of a party, but does not identify the body to which an appeal may be taken.

Defined term: "Montgomery Commission" § 16-101

16-310. MEDIATION — ARBITRATION.

(A) APPOINTMENT OF MEDIATOR-ARBITRATOR.

(1) IF THE PARTIES HAVE NOT REACHED AN AGREEMENT ON OR BEFORE DECEMBER 1 ON A COLLECTIVE BARGAINING AGREEMENT THAT WOULD BECOME EFFECTIVE THE FOLLOWING JULY 1, THE PARTIES SHALL JOINTLY APPOINT A MEDIATOR-ARBITRATOR.