

(2) IF THE PARTIES ARE UNABLE TO AGREE ON A MEDIATOR-ARBITRATOR, THE LABOR RELATIONS ADMINISTRATOR SHALL NAME THE MEDIATOR-ARBITRATOR ON OR BEFORE DECEMBER 7.

(3) NOTWITHSTANDING APPOINTMENT OF THE MEDIATOR-ARBITRATOR, THIS SUBSECTION DOES NOT REQUIRE BEGINNING MEDIATION-ARBITRATION BEFORE THE DATE SET FORTH IN SUBSECTION (B)(2) OF THIS SECTION.

(B) DECLARATION OF IMPASSE.

(1) DURING THE COLLECTIVE BARGAINING:

(I) EITHER PARTY MAY DECLARE AN IMPASSE AND REQUEST THE SERVICES OF THE MEDIATOR-ARBITRATOR; OR

(II) THE PARTIES MAY JOINTLY REQUEST THE SERVICES OF A MEDIATOR-ARBITRATOR BEFORE AN IMPASSE IS DECLARED.

(2) IF THE MEDIATOR-ARBITRATOR FINDS IN THE MEDIATOR-ARBITRATOR'S DISCRETION THAT THE PARTIES ARE AT A BONA FIDE IMPASSE, OR ON FEBRUARY 1, IF THEY STILL HAVE NOT AGREED ON A CONTRACT, WHICHEVER HAPPENS FIRST, THE MEDIATOR-ARBITRATOR SHALL REQUIRE THE PARTIES TO SUBMIT:

(I) A JOINT MEMORANDUM LISTING ALL ITEMS TO WHICH THE PARTIES HAVE PREVIOUSLY AGREED; AND

(II) A SEPARATE MEMORANDUM OF THE PARTY'S LAST FINAL OFFER PRESENTED IN NEGOTIATIONS ON ALL ITEMS TO WHICH THE PARTIES HAVE NOT PREVIOUSLY AGREED.

(C) HEARING ON PROPOSALS.

(1) ON OR BEFORE FEBRUARY 10, IF THE PARTIES HAVE NOT AGREED ON A CONTRACT, THE MEDIATOR-ARBITRATOR SHALL HOLD A NONPUBLIC HEARING ON THE PARTIES' PROPOSALS AT A TIME, DATE, AND PLACE CHOSEN BY THE MEDIATOR-ARBITRATOR.

(2) EACH PARTY SHALL SUBMIT EVIDENCE OR MAKE ORAL AND WRITTEN ARGUMENT IN SUPPORT OF THE PARTY'S LAST FINAL OFFER.

(3) THE MEDIATOR-ARBITRATOR MAY NOT OPEN THE HEARING TO A PERSON WHO IS NOT A PARTY TO THE MEDIATION-ARBITRATION.

(D) CHOICE OF MORE REASONABLE PROPOSAL.

(1) ON OR BEFORE FEBRUARY 15, THE MEDIATOR-ARBITRATOR SHALL ISSUE A REPORT CHOOSING THE FINAL OFFER, EXCLUSIVE OF WAGES, THAT THE MEDIATOR-ARBITRATOR DETERMINES TO BE MORE REASONABLE WHEN VIEWED AS A WHOLE.