

(3) (I) A MEDIATOR MAY BE UTILIZED BY THE PARTIES IN COLLECTIVE BARGAINING WHENEVER THE PARTIES MUTUALLY AGREE OR IF AN IMPASSE EXISTS WHENEVER ONE PARTY REQUESTS MEDIATION.

(II) THE MEDIATOR SHALL BE SELECTED BY THE PARTIES FROM A LIST SUPPLIED BY EITHER THE AMERICAN ARBITRATION ASSOCIATION OR THE FEDERAL MEDIATION AND CONCILIATION SERVICE.

(4) (I) THE PARTIES BY MUTUAL AGREEMENT MAY ENGAGE IN FACT-FINDING. IF THERE IS NOT MUTUAL AGREEMENT, EITHER PARTY AT IMPASSE, MAY REQUEST THE APPOINTMENT OF A FACT FINDER TO INITIATE FACT-FINDING. THE FACT FINDER SHALL BE SELECTED AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH.

(II) THE MNCPPC AND THE EXCLUSIVE REPRESENTATIVE MAY SELECT THEIR OWN FACT FINDER FROM A LIST SUPPLIED BY THE AMERICAN ARBITRATION ASSOCIATION OR THE FEDERAL MEDIATION AND CONCILIATION SERVICE. IF THE PARTIES ARE UNABLE TO REACH AGREEMENT ON FACT-FINDING, A FACT FINDER SHALL BE SELECTED PURSUANT TO THE RULES OF THE AGENCY THAT PROVIDES THE LIST. THE COST OF FACT-FINDING SHALL BE PAID EQUALLY BY MNCPPC AND THE EMPLOYEE ORGANIZATION.

(III) THE FACT FINDER SHALL CONDUCT HEARINGS AND MAY ADMINISTER OATHS. THE FACT FINDER SHALL MAKE WRITTEN FINDINGS OF FACT AND RECOMMENDATIONS FOR RESOLUTION OF THE IMPASSE. NO LATER THAN 30 DAYS FROM THE DATE OF APPOINTMENT THE FACT FINDER SHALL TRANSMIT THE FINDINGS TO THE MNCPPC AND THE EXCLUSIVE REPRESENTATIVE. IF THE IMPASSE CONTINUES 10 DAYS AFTER THE REPORT IS SUBMITTED TO THE PARTIES, THE REPORT SHALL BE MADE AVAILABLE TO THE PUBLIC.

(IV) COSTS OF FACT-FINDING SHALL BE BORNE EQUALLY BY THE PARTIES.

(5) EMPLOYEES MAY NOT ENGAGE IN A STRIKE.

(6) IF A STRIKE OF EMPLOYEES OCCURS, A COURT OF COMPETENT JURISDICTION MAY, UPON REQUEST OF THE MNCPPC, ENJOIN THE STRIKE.

(7) AN EMPLOYEE MAY NOT RECEIVE PAY OR COMPENSATION FROM THE MNCPPC FOR ANY PERIOD DURING WHICH THE EMPLOYEE IS ENGAGED IN A STRIKE.

(8) IF AN EMPLOYEE ORGANIZATION CERTIFIED AS AN EXCLUSIVE REPRESENTATIVE ENGAGES IN A STRIKE, ITS CERTIFICATION AS EXCLUSIVE REPRESENTATIVE SHALL BE REVOKED BY THE COMMISSIONER, AND THAT EMPLOYEE ORGANIZATION OR ANY OTHER EMPLOYEE ORGANIZATION WHICH ENGAGES IN A STRIKE SHALL BE INELIGIBLE TO BE CERTIFIED AS AN EXCLUSIVE REPRESENTATIVE FOR A PERIOD OF 1 YEAR FOLLOWING THE END OF THE STRIKE.

(F) (1) A COLLECTIVE BARGAINING AGREEMENT SHALL BE EXECUTED BY THE MNCPPC AND THE EXCLUSIVE REPRESENTATIVE INCORPORATING ANY