

(II) IN ~~DETERMINING THE MORE REASONABLE OFFER~~ RESOLVING THE ITEMS NOT PREVIOUSLY AGREED UPON, THE MEDIATOR-ARBITRATOR MAY CONSIDER ~~ONLY~~ THE FOLLOWING FACTORS:

- 1. PAST COLLECTIVE BARGAINING CONTRACTS BETWEEN THE PARTIES, INCLUDING THE PAST BARGAINING HISTORY THAT LED TO THE AGREEMENT OR THE PRE-COLLECTIVE BARGAINING HISTORY OF EMPLOYEE WAGES, HOURS, BENEFITS, AND OTHER WORKING CONDITIONS;
- 2. A COMPARISON OF WAGES, HOURS, BENEFITS, AND CONDITIONS OF EMPLOYMENT OF SIMILAR EMPLOYEES OF OTHER PUBLIC EMPLOYERS IN THE WASHINGTON METROPOLITAN AREA AND IN THE STATE;
- 3. A COMPARISON OF WAGES, HOURS, BENEFITS, AND CONDITIONS OF EMPLOYMENT OF SIMILAR EMPLOYEES OF PRIVATE EMPLOYERS IN MONTGOMERY COUNTY AND IN PRINCE GEORGE'S COUNTY;
- 4. THE PUBLIC INTEREST AND WELFARE;
- 5. THE ABILITY OF THE EMPLOYER TO FINANCE ANY ECONOMIC ADJUSTMENTS REQUIRED UNDER THE PROPOSED AGREEMENT;
- 6. THE EFFECTS OF ANY ECONOMIC ADJUSTMENTS ON THE STANDARD OF PUBLIC SERVICES NORMALLY PROVIDED BY THE EMPLOYER; AND
- 7. THE ANNUAL INCREASE OR DECREASE IN CONSUMER PRICES FOR ALL ITEMS AS REFLECTED IN THE MOST RECENT CONSUMER PRICE INDEX - WAGE EARNERS AND CLERICAL WORKERS ("CPI-W") FOR THE WASHINGTON-BALTIMORE METROPOLITAN AREA.

(III) IN ~~DETERMINING THE MOST REASONABLE OFFER~~ RESOLVING THE ITEMS NOT PREVIOUSLY AGREED UPON, THE MEDIATOR-ARBITRATOR SHALL CONSIDER TO BE INTEGRATED WITH EACH OFFER ALL ITEMS ON WHICH THE PARTIES AGREED BEFORE THE MEDIATION-ARBITRATION BEGAN.

~~(IV) THE MEDIATOR-ARBITRATOR MAY NOT RECEIVE OR CONSIDER THE HISTORY OF COLLECTIVE BARGAINING RELATING TO THE IMMEDIATE DISPUTE, INCLUDING ANY OFFERS OF SETTLEMENT NOT CONTAINED IN THE OFFER SUBMITTED TO THE MEDIATOR-ARBITRATOR.~~

~~(6) THE MEDIATOR-ARBITRATOR MAY NOT COMPROMISE OR ALTER THE FINAL OFFER THAT THE MEDIATOR-ARBITRATOR SELECTS.~~

~~(7)~~ (6) (I) 1. SUBJECT TO SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, WITHOUT RATIFICATION BY THE PARTIES, THE OFFER SELECTED BY THE MEDIATOR-ARBITRATOR, AS INTEGRATED WITH THE ITEMS ON WHICH THE PARTIES PREVIOUSLY AGREED, SHALL BE THE FINAL AGREEMENT BETWEEN THE COMMISSION AND THE EXCLUSIVE REPRESENTATIVE.

2. THE COMMISSION SHALL REQUEST FUNDS IN THE COMMISSION'S FINAL BUDGET FROM THE COUNTY COUNCILS FOR ALL ECONOMIC PROVISIONS OF THE FINAL AGREEMENT.