

(II) DURING THE PERIOD SET FORTH IN SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE PARTIES SHALL NEGOTIATE IN GOOD FAITH.

(K) (1) IF A PARTY CONSIDERS A BARGAINING PROPOSAL TO CONTRAVENE THE RIGHTS AND RESPONSIBILITIES OF THE COMMISSION UNDER SUBSECTION (S) OF THIS SECTION OR TO OTHERWISE VIOLATE THIS SECTION, THE PARTY SHALL PETITION THE LABOR RELATIONS ADMINISTRATOR FOR A DETERMINATION OF WHETHER THE BARGAINING PROPOSAL CONSTITUTES A NEGOTIABILITY DISPUTE THAT CONTRAVENES THIS SECTION.

(2) THE PROCEDURE FOR RESOLVING A NEGOTIABILITY DISPUTE SHALL FOLLOW THE PROCEDURE FOR REVIEWING UNFAIR LABOR PRACTICE CHARGES, EXCEPT THAT THE LABOR RELATIONS ADMINISTRATOR MAY SHORTEN THE TIME PERIODS OR ORDER ANY EXPEDITED PROCEDURE APPROPRIATE UNDER THE CIRCUMSTANCES.

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

(4) UNLESS APPEALED ON THIS BASIS OF BEING ARBITRARY, CAPRICIOUS, OR EXCEEDING THE AUTHORITY OF A PARTY, ANY DECISION AND ORDER REACHED UNDER THIS SUBSECTION IS FINAL.

[(1) (1) A fact finder may be used in the collective bargaining process whenever:

(i) The Commission and the employee organization agree to fact-finding; or

(ii) An impasse results, and the Commission or the employee organization requests fact-finding.

(2) The fact finder shall be mutually selected by the Commission and the employee organization from a list supplied by the American Arbitration Association or the Federal Mediation and Conciliation Service.

(3) If agreement cannot be reached on the selection of a fact finder, the fact finder shall be selected by the labor relations administrator.

(4) (i) The fact finder shall hold hearings and may administer oaths.

(ii) Within 30 days after appointment, the fact finder shall give to the Commission and the employee organization a written report with findings and recommendations to resolve the impasse.

(5) If the impasse continues for 10 days after submission of the fact finder's report, the fact finder shall make the report available to the public.

(6) The Commission and the employee organization shall share equally the costs of the fact finder.]