

(B) PROCEDURE; SERVICE.

EACH PARTY WHO MAKES AN EXCEPTION SHALL:

(1) SUBMIT TO THE MEDIATION SERVICE:

(I) 4 COPIES OF THE EXCEPTION; AND

(II) PROOF OF SERVICE UNDER ITEM (2) OF THIS SUBSECTION; AND

(2) SERVE IMMEDIATELY A COPY OF THE EXCEPTION ON EACH OTHER PARTY.

REVISOR'S NOTE: This section is new language derived without substantive change from the second through fourth sentences of former Art. 89, § 13(c).

As to the substitution of "Mediation Service" for the former references to the "Division of Labor and Industry", see the revisor's note to § 4-202 of this subtitle.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that the Mediation Service indicates that one copy of an exception is sufficient.

Defined terms: "Consent election" § 4-201

"Mediation Service" § 4-201

4-216. CONSIDERATION OF EXCEPTION.

(A) DETERMINATION ON SUBSTANCE.

WHENEVER THE MEDIATION SERVICE RECEIVES A TIMELY EXCEPTION TO A REPORT ON A CHALLENGED BALLOT OR AN OBJECTION, THE MEDIATION SERVICE SHALL DETERMINE WHETHER THE EXCEPTION RAISES A SUBSTANTIAL AND MATERIAL ISSUE WITH RESPECT TO THE CONDUCT OR RESULT OF THE CONSENT ELECTION.

(B) HEARING.

(1) IF THE MEDIATION SERVICE DETERMINES THAT AN EXCEPTION RAISES A SUBSTANTIAL AND MATERIAL ISSUE, THE MEDIATION SERVICE MAY HOLD A HEARING ON THE EXCEPTION.

(2) THE MEDIATION SERVICE SHALL SERVE NOTICE OF THE HEARING ON EACH PARTY.

REVISOR'S NOTE: Subsection (a) of this section is new language added to state expressly that which only was implied in former Art. 89, § 13(e) — i.e., the Mediation Service must make a determination on the substance of each timely exception.