

67C.412 Petition for fact-finding panel upon deadlock -- Hearings -- Findings -- Expenses.

- (1) If, after a reasonable period, but in no event less than thirty (30) days, of negotiations over the terms of a new collective bargaining agreement or modifications in an existing agreement, the parties to the negotiations are deadlocked, either party or the parties jointly may petition the cabinet, by certified mail, return receipt requested, or by registered mail, to initiate fact-finding.
- (2) Upon receipt of a petition to initiate fact-finding, the cabinet shall cause an investigation to determine whether or not the parties are deadlocked in their negotiations. During the course of this investigation, the secretary is empowered to utilize his or her office in an effort to effectuate a settlement between the parties through mediation and conciliation.
- (3) Upon completion of the cabinet's investigation, and if a settlement between the parties has still not been reached, the secretary shall within ten (10) days appoint a qualified and disinterested person as the impartial chairman of a three (3) member panel to function as the fact-finders. In addition to the impartial chairman, the other two (2) members of the panel shall be one (1) member named by the labor organization and one (1) member named by the consolidated local government, parties to the deadlocked negotiations.
- (4) Upon consultation with the other members of the panel, the impartial chairman shall establish dates and places for public hearings. Whenever feasible, public hearings shall be held within the jurisdiction in which the consolidated local government is located. The panel may subpoena witnesses, and a written transcript of the hearing shall be made. Upon completion of the hearings the panel shall, by majority decision, make written findings of fact, recommendations, and opinions to be served on the consolidated local government and labor organization (parties) and these shall be released to the public. Expenses incurred by the three (3) member panel in this section shall be paid by the parties involved in the labor dispute.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 68, effective July 15, 2010. -- Created 2004 Ky. Acts ch. 101, sec. 7, effective July 13, 2004.