

**Comparison of Collective Bargaining Impasse Resolution Process Under
Municipal Labor Relations Act and H.140 Charter Amendment for Williston**

| | Municipal Labor Relations Act | H.140 Charter Amendment |
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| Existing Collective Bargaining Agreement | Unless otherwise provided by CBA, terms of the CBA remain in effect during negotiations | Existing CBA remains in effect until successor agreement is negotiated |
| Contract imposition? | Yes, provided statutorily required dispute resolution procedures exhausted and dispute not submitted to binding arbitration | ? |
| Strikes? | Yes, provided: <ul style="list-style-type: none"> • 30 days or more after delivery of fact finders report • Parties have not submitted dispute to binding arbitration • It will not endanger the health, safety, or welfare of the public | ? |
| Mediation | <ul style="list-style-type: none"> • Mediation at the request of either party. Commissioner of Labor appoints a mediator. • Expenses shared equally by the parties | Mediation at a mutually agreed time and place |
| Fact Finding | <ul style="list-style-type: none"> • If mediation not successful and either party requests it, Commissioner of Labor appoints a fact-finder. • MLRA establishes factors that the fact-finder must consider. • Report must be issued within 30 days after final hearing before fact-finder • Report is made public 10 days after it is delivered to the parties. • Expenses shared equally by the parties | If mediation not successful, fact-finding in a manner agreed upon by both parties |

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| <p>Arbitration</p> | <ul style="list-style-type: none"> • Parties may mutually agree to submit impasse to binding arbitration <ul style="list-style-type: none"> ○ Binding arbitration is mandatory for public safety unions if impasse continues for 20 days after fact-finder's report is made public • Municipality may vote by referendum to adopt mandatory binding arbitration procedures consistent with MLRA | <p>If impasse remains 60 days after release of fact-finders' report, binding arbitration if agreed upon by both parties</p> |
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