

**COMPULSORY ARBITRATION OF LABOR DISPUTES IN POLICE AND FIRE DEPARTMENTS
(EXCERPT)
Act 312 of 1969**

423.236 Arbitrator; duties; hearing; intervenors; evidence; record; expenses; actions and rulings.

Sec. 6. The arbitrator shall act as chair of the panel of arbitration, call and begin a hearing within 15 days after appointment, and give reasonable notice of the time and place of the hearing. The chair shall preside over the hearing and shall take testimony. Upon application and for good cause shown, and upon terms and conditions that are just, the arbitration panel may grant leave to intervene to a person, labor organization, or governmental unit having a substantial interest in the matter. The arbitration panel may receive into evidence any oral or documentary evidence and other data it considers relevant. The proceedings shall be informal. Technical rules of evidence do not apply and do not impair the competency of the evidence. A verbatim record of the proceedings shall be made, and the arbitrator shall arrange for the necessary recording service. Transcripts may be ordered at the expense of the party ordering them but the transcripts are not necessary for a decision by the arbitration panel. The expense of the proceedings, including a fee to the chair, established in advance by the Michigan employment relations commission shall be borne equally by each of the parties to the dispute. The delegates, if public officers or employees, shall continue on the payroll of the public employer at their usual rate of pay. The hearing conducted by the arbitration panel may be adjourned from time to time, but shall be concluded and any posthearing briefs filed within 180 days after it commences. Its majority actions and rulings shall constitute the actions and rulings of the arbitration panel.

History: 1969, Act 312, Eff. Oct. 1, 1969;—Am. 2011, Act 116, Imd. Eff. July 20, 2011.

Constitutionality: This act is clearly constitutional. Local 1277, Metropolitan Council No 23, American Federation of State, County and Municipal Employees, AFL-CIO v City of Center Line, 414 Mich 642; 327 NW2d 822 (1982).

Popular name: Act 312