



ADMINISTRATIVE RULES OF MONTANA



24.26.1046 BOARD INVESTIGATION OF UNIT CLARIFICATION PETITION, AGREEMENT, MEDIATION, APPEAL

- (1) If the board agent serves the petition on the parties, the board agent shall investigate the UC petition. If no question of fact exists and the parties agree with the modification of the existing unit, the board agent shall issue an order consistent with the agreement of the parties. The order shall be signed by the board agent and all parties.
- (2) If the board agent determines that a question of fact exists, the parties shall mediate the dispute before an agency mediator. Mediation will be concluded within 45 days of assignment unless the parties mutually agree to an extension.
- (3) If the parties are unable to mediate the dispute, the board agent shall transfer the matter to the hearing officer pursuant to ARM 24.26.1008.
 - (a) If a party disputes the recommended order of the hearing officer, the party may file exceptions pursuant to ARM 24.26.254 within 14 days of service of the hearing officer's recommended order.
 - (b) Orders of the board that determine the appropriate unit under this rule are not subject to further appeal or challenge.

Authorizing statute(s): 39-31-104, 39-32-103, MCA

Implementing statute(s): 39-31-202, 39-31-207, 39-32-113, MCA

History: NEW, 2020 MAR p. 2422, Eff. 12/25/20.