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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO LABOR AND LABOR RELATIONS - BINDING ARBITRATION

Introduced By: Senators Kettle, Shibley, and Maher

Date Introduced: February 01, 2012

Referred To: Senate Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 28-9.1-9 of the General Laws in Chapter 28-9.1 entitled
2 "Firefighters' Arbitration" is hereby amended to read as follows:

3 **28-9.1-9. Hearings.** -- (a) The arbitration board shall, acting through its chairperson, call
4 a hearing to be held within ten (10) days after the date of the appointment of the chairperson, and
5 shall, acting through its chairperson, give at least seven (7) days notice in writing to each of the
6 other two (2) arbitrators, the bargaining agent, and the corporate authorities of the time and place
7 of the hearing. The hearing shall be informal, and the rules of evidence prevailing in judicial
8 proceedings shall not be binding. Any documentary evidence and other data deemed relevant by
9 the arbitrators may be received in evidence.

10 (b) The arbitrators shall have the power to administer oaths and to require by subpoena
11 the attendance and testimony of witnesses, and the production of books, records, and other
12 evidence relative or pertinent to the issues presented to them for determination.

13 (c) The hearing conducted by the arbitrators shall be concluded within twenty (20) days
14 of the time of commencement, and within ten (10) days after the conclusion of the hearings, the
15 arbitrators shall make written findings and a written opinion upon the issues presented, a copy of
16 which shall be mailed or otherwise delivered to the bargaining agent or its attorney or otherwise
17 designated representative and the corporate authorities.

18 (d) A majority decision of the arbitrators shall be binding upon both the bargaining agent
19 and the corporate authorities.

1 [\(e\) Firefighters in the town of Scituate shall not be subject to binding arbitration.](#)

2 SECTION 2. Section 28-9.2-9 of the General Laws in Chapter 28-9.2 entitled "Municipal
3 Police Arbitration" is hereby amended to read as follows:

4 **28-9.2-9. Hearings.** -- (a) The arbitration board shall, acting through its chairperson, call
5 a hearing to be held within ten (10) days after the date of the appointment of the chairperson, and
6 shall, acting through its chairperson, give at least seven (7) days notice in writing to each of the
7 other two (2) arbitrators, the bargaining agent, and the corporate authorities of the time and place
8 of the hearing. The hearing shall be informal, and the rules of evidence prevailing in judicial
9 proceedings shall not be binding. Any documentary evidence and other data deemed relevant by
10 the arbitrators may be received in evidence.

11 (b) The arbitrators shall have the power to administer oaths and to require by subpoena
12 the attendance and testimony of witnesses, and the production of books, records, and other
13 evidence relative or pertinent to the issues presented to them for determination.

14 (c) The hearing conducted by the arbitrators shall be concluded within twenty (20) days
15 of the time of commencement, and within ten (10) days after the conclusion of the hearings, the
16 arbitrators shall make written findings and a written opinion upon the issues presented, a copy of
17 which shall be mailed or otherwise delivered to the bargaining agent or its attorney or otherwise
18 delegated representative and to the corporate authorities.

19 (d) A majority decision of the arbitrators is binding on both the bargaining agent and the
20 corporate authorities.

21 [\(e\) Municipal police in the town of Scituate shall not be subject to binding arbitration.](#)

22 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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- 1 This act would eliminate binding arbitration for Scituate police and firefighters.
- 2 This act would take effect upon passage.

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