

## **Part 7 — Mediation and Disputes Resolution**

### **Division 1 — Mediation and Fact Finding**

#### **Mediation officer and services**

**74** (1) The associate chair of the Mediation Division may appoint a mediation officer if

- (a) notice has been given to commence collective bargaining between a trade union and an employer,
- (b) either party makes a written request to the associate chair to appoint a mediation officer to confer with the parties to assist them to conclude a collective agreement or a renewal or revision of it, and
- (c) the request is accompanied by a statement of the matters the parties have or have not agreed on in the course of collective bargaining.

(2) A person appointed as a mediation officer need not be an employee of the board.

(3) The minister may at any time during the course of collective bargaining between an employer and a trade union, if he or she considers that the appointment is likely to facilitate the making of a collective agreement, appoint a mediation officer to confer with the parties.

(4) If a mediation officer is appointed to confer with the parties, the mediation officer must, no later than 10 days after first meeting with the parties or 20 days after the mediation officer's appointment, whichever is sooner, or such longer period as the parties agree on or as the minister directs, report to the associate chair setting out the matters on which the parties have or have not agreed and such other information as the mediation officer considers relevant to the collective bargaining between the parties.

(5) If either party so requests of the associate chair, or if the minister so directs, the mediation officer must provide to the associate chair and the parties a report concerning the collective bargaining dispute, and the report may include recommended terms of settlement.

(6) Parties conferring with a mediation officer under this section must provide the information that the mediation officer requests concerning their collective bargaining.