

BEFORE THE DEPARTMENT OF LABOR AND EMPLOYMENT
STATE OF COLORADO

In the matter of Notice of Intent to Strike of:

AMALGAMATED TRANSIT UNION, LOCAL 1001

against

REGIONAL TRANSPORTATION DISTRICT

RE: STIPULATED MOTION TO WAIVE THE 180-DAY DEADLINE FOR ARBITRATION AWARD

INTRODUCTION, FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Introduction

The Director of the Division of Labor is in receipt of a motion submitted by the Petitioner and the Respondent requesting that the 180-day deadline for the issuance of the interest arbitration award be waived.

Findings of Fact

1. Strict interpretation of the rules would require the arbitrator to issue an interest arbitration award no later than July 20, 2009
2. Despite the best efforts of the parties to complete the hearings during this timeframe, it will be necessary to hold additional hearings.
3. This will not allow enough time for the parties to submit written briefs and give the arbitrator the time to perform his duties.

Conclusion of Law

1. RTD is an authority as defined in section § 8-3-104(2), C.R.S. and operates a mass transportation system as defined in section § 8-3-104(15), C.R.S.
2. ATU is a local union as defined in section § 8-3-104(14), C.R.S
3. RTD and ATU are subject to the jurisdiction of the Department and the Division pursuant to title § 8, C.R.S.

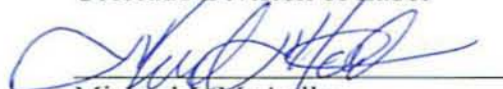
Order

Pursuant to the authority given me as Director of the Division of Labor, in the Colorado Department of Labor and Employment by § 8-3-113(3) and § 8-3-112(2), I hereby order that:

1. The 180-day deadline for the issuance of the interest arbitration award be waived.
2. The parties shall submit written briefs to the arbitrator by August 7, 2009.
3. The arbitrator shall issue the interest arbitration award no later than October 7, 2009.

Dated: July 8, 2009

Colorado Division of Labor



Michael J. McArdle
Director, Division of Labor