**Section 1230.160 Fact-finding**

a) The parties may agree in writing to the use of fact-finding in resolving their disputes.

b) Requests for fact-finding shall be filed on a Board-designated form and shall be accompanied by a copy of the parties' agreement to use fact-finding.

c) Upon receipt of the request for fact-finding, the Board shall supply the parties with a list of 7 fact-finders listed on the Public Employees Mediation/Arbitration Roster. The parties shall select one individual from the list to serve as fact-finder within 10 days of service of the list. If the parties advise the Board that they are unable to select one of the 7 individuals on the list, the Board shall provide a second list. Except in extraordinary circumstances, the Board shall not provide more than 2 lists. The parties shall notify the Board of the name of the individual they select to serve as fact-finder. Upon being so notified, the Board shall appoint the fact-finder.

d) If fact-finding follows mediation, the parties may agree to use the mediator as fact-finder, provided that the mediator is not a Board employee.

e) The fact-finding hearing shall be conducted as follows:

1) *The person appointed as fact-finder shall immediately establish the dates and place of hearing*.

2) *Upon request, the Board shall issue subpoenas for hearings conducted by the fact-finder*.

3) *The fact-finder may administer oaths.* (Section 13(b) of the Act

f) The fact-finder shall issue a report and findings as follows:

1) The fact-finder shall serve these findings and report on the parties and the Board within 45 days after the fact finder's appointment, unless the parties mutually agree to extend the time period.

2) Within 5 days after service of the findings and report, the fact-finder shall mail the findings and report to all newspapers of general circulation in the community as mutually designated by the parties, unless the parties mutually request otherwise.

g) The costs of the fact-finding proceeding shall be shared equally by the parties.

(Source: Amended at 27 Ill. Reg. 7456, effective May 1, 2003)