

5229.0420 SELECTION AND COMPOSITION OF ARBITRATION PANEL.

Subpart 1. **Composition.** An arbitration under this chapter must be heard by a panel consisting of the arbitrator and, if the parties agree they are needed, one arbitration advisor for each party to the dispute.

Subp. 2. **Selection of arbitrator.** The arbitrator must be selected by the following process:

A. Within ten days of receiving a request for arbitration of apportionment, the administrator must, by lot and excluding anyone on the roster who is an employee of any party to the dispute, select the names of persons to hear the arbitration from the roster and submit those names to the parties to the dispute.

B. The number of names submitted to the parties must be equal to the number of parties to the arbitration, plus one.

C. Beginning with the party on the list for the earliest date of injury, each party must, within ten days, submit the name of a person whom that party wishes to strike from the list. The party with the next earliest date must then submit the name it wishes to strike, and so forth, until one name remains on the list.

D. The individual remaining on the list is the arbitrator until the dispute is resolved.

E. If the arbitrator is unable to complete the arbitration, the administrator must choose another arbitrator as provided in this subpart.

Subp. 3. **Selection of arbitration advisors.** If the parties have agreed that they are needed, each party to the arbitration may select an individual to act as an arbitration advisor for the period of the dispute.

Subp. 4. **Notification of parties.** When the arbitrator has been determined and, when the parties have agreed that they are needed, when each of the arbitration advisors has been named, the administrator must notify all parties to the arbitration of the names included on the panel.

Statutory Authority: *MS s 175.17; 175.171; 176.191; 176.83*

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