

39-2-914. Arbitration, MT ST 39-2-914

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West's Montana Code Annotated  
Title 39. Labor  
Chapter 2. The Employment Relationship  
Part 9. Wrongful Discharge from Employment

MCA 39-2-914

39-2-914. Arbitration

Currentness

- (1) A party may make a written offer to arbitrate a dispute that otherwise could be adjudicated under this part.
- (2) An offer to arbitrate must be in writing and contain the following provisions:
  - (a) A neutral arbitrator must be selected by mutual agreement or, in the absence of agreement, as provided in 27-5-211.
  - (b) The arbitration must be governed by the Uniform Arbitration Act, Title 27, chapter 5. If there is a conflict between the Uniform Arbitration Act and this part, this part applies.
  - (c) The arbitrator is bound by this part.
- (3) If a complaint is filed under this part, the offer to arbitrate must be made within 60 days after service of the complaint and must be accepted in writing within 30 days after the date the offer is made.
- (4) A discharged employee who makes a valid offer to arbitrate that is accepted by the employer and who prevails in such arbitration is entitled to have the arbitrator's fee and all costs of arbitration paid by the employer.
- (5) If a valid offer to arbitrate is made and accepted, arbitration is the exclusive remedy for the wrongful discharge dispute and there is no right to bring or continue a lawsuit under this part. The arbitrator's award is final and binding, subject to review of the arbitrator's decision under the provisions of the Uniform Arbitration Act.

**Credits**

Enacted by Laws 1987, ch. 641, § 9. Amended by Laws 1993, ch. 442, § 2.

Notes of Decisions (8)

MCA 39-2-914, MT ST 39-2-914

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Current through the 2019 Session. Statutory changes are subject to classification and revision by the Code Commissioner.

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