



# THE STATE OF GEORGIA

## EXECUTIVE ORDER

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BY THE GOVERNOR:

**WHEREAS:** The labor contract between Metropolitan Atlanta Rapid Transit Authority ("MARTA") and Amalgamated Transit Union Division 732 ("the Union") expired on June 30, 2005; and

**WHEREAS:** I have been informed that MARTA and the Union are unable to agree upon the terms and conditions of a new labor agreement; and

**WHEREAS:** MARTA has invoked the dispute resolution process set forth in the Metropolitan Atlanta Rapid Transit Authority Act of 1965, as amended ("the MARTA Act") which requires that the Governor appoint a neutral fact finder upon petition of one of the parties to the contract.

**NOW THEREFORE, BY VIRTUE OF THE AUTHORITY VESTED IN ME AS GOVERNOR OF THE STATE OF GEORGIA, PARTICULARLY BY THE MARTA ACT, IT IS HEREBY**

**ORDERED:** That Grant Brantley is hereby appointed as a fact finder to investigate and explore all unresolved collective bargaining issues;

**IT IS FURTHER**

**ORDERED:** The fact finder shall issue a report which shall recommend as to all unresolved collective bargaining issues submitted for fact finding, appropriate wages, hours, and other terms and conditions of employment for represented employees, and shall set forth supporting factual findings, determined after due consideration of:

The financial ability of MARTA to pay wages and provide benefits, whether or not increased, while adhering to all legal requirements governing MARTA's expenditure of public funds and revenues and maintaining levels of transit service sufficient to serve the metropolitan area;

The amount, if any, of any fare increase which would be necessary to afford a wage or salary increase or improvement in fringe benefits or extension of vacation, holiday, or excused time and the ability of the public to bear a fare increase, with consideration of the per capita income of those persons in the service area;

A comparison between the overall wage and salary levels and fringe benefit levels and vacation, holiday, and excused time allowances of MARTA's represented employees and other workers in the public and private sectors of the metropolitan area who perform work requiring similar skills in other major ground transportation services;

A comparison of the hours and working conditions of MARTA's represented employees and others workers in the public and private sectors of the metropolitan area who perform work requiring similar skills in other major ground transportation services; and

The cost of consumer goods and service within the metropolitan area.

**IT IS FURTHER**

**ORDERED:** The report of the fact finder shall be issued within 30 days of this appointment and shall contain a summary of the findings.

**IT IS FURTHER**

**ORDERED:** The fact finder shall cause the summary of the findings to be published once in the newspaper having the largest circulation in the metropolitan area.

**IT IS FURTHER**

**ORDERED:** That the fee to be received by Mr. Brantley shall be fixed in accordance with the provisions of O.C.G.A. § 22-2-106 and paid for equally by the parties, in accordance with the MARTA Act.

THIS 22<sup>nd</sup> DAY OF AUGUST, 2005.

  
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GOVERNOR