

**5229.0600 ARBITRATOR.**

Subpart 1. **Powers of arbitrator.** The arbitrator for a particular case has sole authority to determine whether the matter will be heard upon oral argument, whether extensions of time are warranted, or whether further information is required on the files and from the parties. The arbitrator also has sole authority to determine the appropriate resolution of the matter, within the scope of parts 5229.0100 to 5229.0700, and to order payment according to the apportionment decision. The arbitrator has the power of subpoena of the commissioner of the Department of Labor and Industry and of an arbitrator under Minnesota Statutes, section 572.14, paragraph (a), to obtain information necessary to a determination of this equitable apportionment dispute.

Subp. 2. **Arbitration advisor's role.** The role of an arbitration advisor is solely to explain and clarify the positions of the parties and advise the arbitrator as to the relevant facts and, if the arbitration advisor is a licensed attorney, also as to the applicable law. An arbitration advisor has no power to make the final determination and, if the arbitration advisor is not a licensed attorney, shall not advise the arbitrator in any manner constituting the unauthorized practice of law.

Subp. 3. **Binding effect.** The determination of the arbitrator is final and binding on the parties in accordance with Minnesota Statutes, section 176.191, subdivision 5, and may be vacated only in accordance with Minnesota Statutes, chapter 572, the Uniform Arbitration Act.

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

**History:** *20 SR 2286*

**Published Electronically:** *June 11, 2008*