**Section 110.40 Roster of Arbitrators; Admission and Retention**

a) The Roster: The IAS shall maintain a Roster of labor arbitrators consisting of persons who meet the criteria for listing contained in Section 110.50(a) and (b) and whose names have not been removed from the Roster in accordance with Section 110.50(b)(4).

b) Adherence to Standards and Requirements: Persons listed on the Roster shall comply with this Part and with any written instructions or forms provided to them in accordance with Sections 110.70 through 110.150. Arbitrators are also expected to conform to the ethical standards and procedures set forth in the Code of Professional Responsibility for Arbitrators of Labor Management Disputes, as approved by the Joint Steering Committee of the National Academy of Arbitrators (May 30, 1996, no subsequent dates or editions). Copies are available at the Department of Labor's Springfield office. Copies may also be obtained at <http://www.igc.org/naarb/ethics.html.

c) Status of Arbitrators: Persons who are listed on the Roster and are selected or appointed to hear arbitration matters or to serve as fact-finders do not become employees of the State of Illinois or the parties by virtue of their selection or appointment. Following selection or appointment, the arbitrator's relationship is solely with the parties to the dispute, except that arbitrators are subject to certain reporting requirements and to standards of conduct as set forth in this Section.

d) Role of IAS. IAS has no power to:

1) Compel parties to arbitrate or agree to arbitration;

2) Enforce an agreement to arbitrate;

3) Compel parties to agree to a particular arbitrator, except where the collective bargaining agreement indicates that IAS is to select and assign the particular panel rather than submit a roster and in the judgment of IAS the particular arbitrator assigned does not appear to be in a conflict of interest under either Section 110.50 or Section 110.60 of this Part.

e) Nominations and Panels: On request of the parties to an agreement to arbitrate or engage in fact-finding, or where arbitration or fact-finding may be provided for by statute, or as a court may request, IAS will provide a name or a panel of names drawn from the Roster. Where an agreement specifies only that the Service is to provide arbitration or an arbitrator, the Service shall designate one named arbitrator. The provision of a named arbitrator or a panel of arbitrators shall be without charge if pursuant to a request of court or if pursuant to a collective bargaining agreement or private employment agreement executed prior to July 1, 1987. In all other instances an application fee shall be charged as determined by the Director during the period during which the request is made to the Service pursuant to Section 110.130(a). Procedures for obtaining these services are in Section 110.70. Neither the submission of a nomination or panel nor the appointment of an arbitrator constitutes a determination by IAS that an agreement to arbitrate or enter fact-finding proceedings exists; nor does such action constitute a ruling that the matter in controversy is arbitrable under any agreement.

f) Rights of Person Listed on the Roster: No person, including any employee of the Illinois Department of Labor, shall have any right to be listed or to remain listed on the Roster. The Department of Labor retains authority, ultimately subject to the Director's authority, to assure that the needs of the parties using its facilities are served. To accomplish this purpose it may establish procedures for the preparation of panels or the appointment of arbitrators or fact-finders which include consideration of such factors as background, experience, availability, acceptability to possible parties, geographical location and the expressed preferences of the parties. (Reference Section 110.90, Nominations and Designations of Arbitrators)

(Source: Amended at 25 Ill. Reg. 7211, effective May 21, 2001)