

IN ARBITRATION PROCEEDINGS BEFORE

In the Matter of a Controversy Between )
)
)
Union, )
and )
)
Employer )
RE: )
\_\_\_\_\_ )

SUBPOENA
DUCES TECUM

TO:

REQUEST having been made by [party] (see below), YOU ARE HEREBY SUMMONED to appear before the undersigned arbitrator on [date], at [time] at [address], [telephone number], to give evidence in the above proceeding and to remain in attendance until you are discharged.

YOU ARE ALSO REQUIRED to bring with you the following [books, papers, documents]:

(Use if appropriate.)

You may comply with the above paragraph for items numbered [#s] in the following way: in lieu of bringing the original records, set forth the required information in affidavit form or summaries, compilations and/or analysis made from original records and submit this information to the representative requesting this subpoena not later than [date]. If this method of compliance is chosen, the original records shall be made available by [date] to the representative so that the accuracy of the statement(s) may be verified.

(Consider using when seeking documents only.)

You may comply with the above paragraph for items numbered [#s] in the following way: in lieu of bringing the original records, you may provide the original documents to the representative requesting this subpoena for inspection and copying not later than [date].

CONTACT the representative requesting this subpoena before the time at which you are required to appear if you have any questions about your obligations under this subpoena, such as the time or date for you to appear, or your right to witness fees.

DATED: \_\_\_\_\_

\_\_\_\_\_[Name], Arbitrator

Representative of party requesting subpoena:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone number: (\_\_\_\_\_)\_\_\_\_\_

Note: ORS 243.706 (7) states: "Witnesses appearing pursuant to subpoena, other than parties or officers or employees of the public employer, shall receive fees and mileage as prescribed by law for witnesses in ORS 44.415 (2). ORS 44.415 (2) and (3) provide in pertinent part:

(2) In . . . any proceeding where a public body is a party, a person is entitled to receive \$5 for each day's attendance as a witness and mileage reimbursement at the rate of eight cents a mile if the person is required to travel from a place within or outside this state in order to perform duties as a witness. Total mileage reimbursement shall not exceed the necessary cost of transportation on reasonably available common carriers.

(3) As used in this section, "public body" means any state, city, county, school district, other political subdivision, municipal corporation, public corporation and any instrumentality thereof.