

2012 Kansas Statutes

44-809. Unlawful acts. It shall be unlawful for any person:

(1) To interfere with or prevent the right of franchise of any member of a labor organization. The right of franchise shall include the right of an employee to make complaint, file charges, give information or testimony concerning the violations of this act, or the petitioning to such employee's union regarding any grievance such employee may have concerning such employee's membership or employment, or the making known facts concerning such grievance or violations of law to any person, including public officials or the employer, and such employee's right of free petition, lawful assemblage and free speech.

(2) To prohibit or prevent any election of the officers of any labor organization.

(3) On and after July 1, 1955, to participate in any strike, walk-out, or cessation of work or continuation thereof against an employer when any of such employer's employees are organized into a collective bargaining unit without the same being authorized by a majority vote of the employees in such collective bargaining unit at an election, by secret ballot, held, conducted and canvassed in accordance with rules and regulations which shall be adopted by the secretary of labor. The provisions of this section shall not prohibit any person from terminating such person's employment on such person's own volition.

(4) To enter into an all-union agreement as a representative of employees in a collective bargaining unit unless the employees to be governed thereby have, by a majority vote of such employees by secret ballot, authorized such agreement.

(5) To conduct any election referred to in subsections (3) and (4) of this section without a secret ballot.

(6) To charge, receive, or retain any dues, assessments, or other charges in excess of, or not authorized by, the constitution or bylaws of any labor organization on file as provided in K.S.A. 44-806, and amendments thereto.

(7) To act as a business agent without having obtained and possessing a valid and subsisting license.

(8) To solicit membership for or to act as a representative of an existing labor organization without authority of such labor organization to do so.

(9) To make any false statement in an application for a license.

(10) To act as a business agent or representative of any labor organization which does not have on file, with the secretary of state, its constitution and bylaws.

(11) For any person to seize or occupy property unlawfully during the existence of a labor dispute.

(12) To coerce or intimidate any employee in the enjoyment of such employee's legal rights, including those guaranteed in K.S.A. 44-803, and amendments thereto, or to intimidate such employee's family, picket such employee's domicile or injure the person or property of such employee or such employee's family or to in any way discriminate against any employee, member of a labor organization or other person by reason of such employee's exercise of any right guaranteed to such employee by the provisions of this act.

(13) To picket beyond the area of the industry within which a labor dispute arises.

(14) To engage in picketing by force and violence, or to picket in such a manner as to prevent ingress and egress to and from any premises, or to picket other than in a peaceable manner.

(15) To violate the terms of a collective bargaining agreement.

(16) To enter into a closed shop agreement.

History: L. 1943, ch. 191, § 8; L. 1955, ch. 252, § 3; L. 1976, ch. 370, § 79; L. 2004, ch. 179, § 77; July 1.