

2012 Kansas Statutes

44-828. Prohibited practices. (a) The commission of any prohibited practice, as defined in this section, among other actions, shall constitute evidence of bad faith in meet and confer proceedings.

(b) It shall be a prohibited practice for an agricultural employer or such employer's designated representative willfully to:

(1) Interfere, restrain or coerce agricultural employees in the exercise of rights granted in this act; except, that the expression of views by any means, as long as the expressions do not contain threats of reprisal or promises of benefits, shall not be prohibited or grounds for setting aside a representative election;

(2) dominate, interfere or assist in the formation, existence, or administration of any employee organization;

(3) encourage or discourage membership in any employee organization, committee, association or representation plan by discrimination in hiring, tenure or other conditions of employment, or by blacklisting;

(4) discharge or discriminate against an employee because such employee has filed any affidavit, petition or complaint or given any information or testimony under this act, or because such employee has formed, joined or chosen to be represented by any employee organization;

(5) refuse to meet and confer in good faith with representatives of certified or formally recognized employee organizations;

(6) deny the rights accompanying certification or formal recognition granted in K.S.A. 44-824, and amendments thereto; or

(7) institute or attempt to institute a lockout.

(c) It shall be a prohibited practice for agricultural employees or employee organizations willfully to:

(1) Interfere with, restrain, discriminate against or coerce agricultural employees in the exercise of any of the rights granted to agricultural employees in this act;

(2) interfere with, restrain or coerce an agricultural employer with respect to management rights granted in K.S.A. 44-822, and amendments thereto, or with respect to selecting a representative for the purposes of meeting and conferring or the adjustment of grievances;

(3) cause or attempt to cause an employer to discriminate against an employee because of membership or nonmembership in any employee organization;

(4) establish or maintain organizational pickets at an agricultural employer's residence, place of business or situs of such employer's products;

(5) refuse to meet and confer in good faith with an agricultural employer as required by this act;

(6) engage in a strike during periods of marketing of livestock or during a critical period of production or harvesting of crops; or

(7) engage in a secondary boycott.

History: L. 1972, ch. 193, § 11; L. 1989, ch. 152, § 4; July 1.