

IDENTIFYING THE RULE AND REGULATION							NECESSITY		POTENTIAL FOR REVOCATION				TIES TO FEDERAL PROGRAMS				ADDITIONAL INFORMATION	
Number	Article Title	Rule and Regulation Title	Type (new, amended)	Effective Date (history)	Authorizing KSA(s)	Implementing KSA(s)	Is the rule and regulation necessary for the implementation and administration of state law?	Does the rule and regulation serve an identifiable public purpose in support of state law?	Briefly describe how revocation would affect Kansans.	Is the rule and regulation being revoked?	If the rule and regulation is not in active use, would revocation require a change to the statute?	If the rule and regulation is not in active use and revocation would require a change to the statute, which change(s)?	Is the rule and regulation federally required for state participation in a federal program or authority?	Is the rule and regulation federally necessary for delegation of authority to the State?	If the rule and regulation is federally required, the state and federal program names and the federal agency name	Could federal moneys be in jeopardy under current law if the rule and regulation were repealed?	If federal moneys could be in jeopardy, the approximate amount received for the most recent fiscal year	Additional information necessary to understanding the necessity of this rule and regulation
							yes/no	yes/no	limited # of characters	yes/no	in active use/yes/ no	limited # of characters	yes/no	yes/no		yes/no		limited # of characters
12-1-1	Article 1.- General Provisions	Definitions	Effective	May 1, 1978	1977 Supp. 44-820(d)	K.S.A. 44-818	Yes	Yes	This regulation defines terms not defined in K.S.A. 44-819 and provides guidance on computing time. Revoking this regulation would make certain terms open to interpretation hindering the ALRB's ability to act with clarity.	No	No	N/A	No	No	N/A	No	N/A	The 1972 Legislature created the Agricultural Labor Relations Act in substitute for SB 291. Governor Docking vetoed the bill on March 17, 1972, and sent it back to the House. Governor Docking relied on an opinion from Attorney General Vern Miller dated March 17, 1972, which advised certain provisions of Section 11(c) of the bill violated the First Amendment of the US Constitution and Section 10 of the Bill of Rights of the Kansas Constitution. Both the House and the Senate overrode Governor Docking's veto on March 20, 1972. These regulations are to implement the Legislature's intent.
12-1-2	Article 1.- General Provisions	Scope	Effective	May 1, 1978	44-823(g), K.S.A. 1977 Supp. 44-804, 44-806, 44-820(d)	K.S.A. 44-818	Yes	Yes	This regulation gives the ALRB the ability to waive its rules when following them would not be feasible, provides a separability provision in case a rule is determined invalid, and contains additional requirements for employer organizations. Revoking this regulation would hinder the ALRB's ability to carry out its statutory duties.	No	No	N/A	No	No	N/A	No	N/A	
12-2-1	Article 2.- Procedure	Service of process and other board documents	Effective	May 1, 1978	44-829(a), K.S.A. 1977 Supp. 44-820(d)	K.S.A. 44-829	Yes	Yes	This regulation sets forth the process for service of process by the Board and by parties. Revoking the regulation would hinder the ability to efficiently process complaints and other pleadings.	No	No	N/A	No	No	N/A	No	N/A	

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12-2-2	Article 2.- Procedure	Hearings	Effective	May 1, 1978	44-823(c), 44-829(a), K.S.A. 1977 Supp. 44-820(d)	K.S.A. 44-820(c)	Yes	Yes	This regulation sets forth the process for hearings, sets out what information the orders must contain, and imposes deadlines for issuing orders. Revoking the regulation would hinder the ability to run a hearing efficiently and would discourage the issuance of orders in a timely fashion.	No	No	N/A	No	No	N/A	No	N/A	
12-2-3	Article 2.- Procedure	Intervention	Effective	May 1, 1978	1977 Supp. 44-820(d)	K.S.A. 44-821	Yes	Yes	This regulation allows interested parties to intervene. Revoking this regulation could result in more frequent elections if more than one union seeks to represent a unit, which in turn would lead to convening the Board more often.	No	No	N/A	No	No	N/A	No	N/A	
12-2-4	Article 2.- Procedure	Authorization cards; acceptability	Effective	May 1, 1978	44-823(d), K.S.A. 1977 Supp. 44-820(d)	K.S.A. 44-823	Yes	Yes	This regulation imposes requirements to ensure that actual people are showing interest in forming an employee organization. They must provide their address, Social Security Number, signature, and the date. Revoking this regulation could result in less scrupulous individuals attempting to inflate a showing of interest in forming an employee organization.	No	No	N/A	No	No	N/A	No	N/A	
12-2-5	Article 2.- Procedure	Validity of showing of interest	Effective	May 1, 1978	44-823(d), K.S.A. 1977 Supp. 44-820(d)	K.S.A. 44-823	Yes	Yes	This regulation keeps the showing of interest confidential. It also requires agricultural employers to provide an alphabetical listing of employees within units no later than 30 days after a filing of a petition for a certification election following unit determination, unless otherwise directed by the board. As the showing of interest contains Personal Identifying Information (PII), revoking this regulation could result in the disclosure of PII.	No	No	N/A	No	No	N/A	No	N/A	

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12-2-6	Article 2.- Procedure	Units	Effective	May 1, 1978	44-823(e), K.S.A. 1977 Supp. 44-820(d)	K.S.A. 44-823(e)	Yes	Yes	K.S.A. 44-823(e) requires groups of agricultural employees establish a unit. This regulation provides guidance in determining units. Revoking this regulation would hamper unit determinations, making the process less efficient.	No	No	N/A	No	No	N/A	No	N/A	
12-2-7	Article 2.- Procedure	Petition for unit determination, unit clarification and investigation or certification of employee organization	Effective	May 1, 1978	44-823(c)	K.S.A. 44-823(d)	Yes	Yes	This regulation requires employees/employer to file a petition on a form supplied by the ALRB and for the petitioner to sign it. Providing a form can guide parties on what needs to be provided which enables the ALRB to process petitions more efficiently. Revoking this regulation would hinder that process.	No	No	N/A	No	No	N/A	Yes	N/A	
12-2-8	Article 2.- Procedure	Procedure following filing of petitions	Effective	May 1, 1978	44-823, K.S.A. 1977 Supp. 44-820(d)	K.S.A. 44-823(d)	Yes	Yes	This regulation sets forth the procedure and deadlines after employees file a petition pursuant to K.S.A. 44-823(d). Revoking this regulation would make processing petitions inefficient and could cause unnecessary delays.	No	No	N/A	No	No	N/A	No	N/A	
12-2-9	Article 2.- Procedure	Elections--eligibility and conditions	Effective	May 1, 1978	44-823(d), K.S.A. 1977 Supp. 44-820(d)	K.S.A. 44-823(d)	Yes	Yes	K.S.A. 44-823(d) requires elections by secret ballot as part of the ALRB's investigation. This regulation establishes eligibility conditions for voting, timelines, and deadlines. Revoking this regulation will hinder the ALRB's ability to administer K.S.A. 44-823(d).	No	No	N/A	No	No	N/A	No	N/A	
12-2-10	Article 2.- Procedure	Elections--procedure	Effective	May 1, 1978	44-823(d), K.S.A. 1977 Supp. 44-820(d)	K.S.A. 44-823(d)	Yes	Yes	This regulation sets forth the procedures for conducting an election. The regulation includes is allowed to observe the election, prohibiting electioneering, challenging voters, objections to a party's or the ALRB's conduct, and runoff elections. Revoking this regulation would hinder the ALRB's ability to efficiently conduct elections.	No	No	N/A	No	No	N/A	No	N/A	

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12-2-11	Article 2.- Procedure	Certification of election results	Effective	May 1, 1978	44-823(d), K.S.A. 1977 Supp. 44-820(d)	K.S.A. 44-823(d)	Yes	Yes	This regulation sets forth when the ALRB is to certify election results. Revoking this regulation would hinder the ALRB's ability to conduct elections.	No	No	N/A	No	No	N/A	No	N/A	
12-2-12	Article 2.- Procedure	Impasse resolution	Effective	May 1, 1978	44-826, K.S.A. 1977 Supp. 44-820(d)	K.S.A. 44-826	Yes	Yes	K.S.A. 44-826 allows agricultural employers and recognized employee organizations to request assistance from the Board in resolving impasses. This regulation gives the Board methods to attempt to resolve an impasse before sending the matter for a hearing. Revoking this regulation has the potential to send more impasse disputes to hearing before the Office of Administrative Hearings.	No	No	N/A	No	No	N/A	No	N/A	
12-2-13	Article 2.- Procedure	Complaints	Effective	May 1, 1978	44-829(a), K.S.A. 1977 Supp. 44-820(d)	K.S.A. 44-829	Yes	Yes	This regulation sets out who may file complaints, requires that they use forms provided by the board, sets out what an answer must contain, deadlines to answer, allows parties to amend complaints and answers, and allows complaints to be withdrawn. Revoking this regulation would hinder the ALRB's ability to efficiently process complaints.	No	No	N/A	No	No	N/A	No	N/A	
12-2-14	Article 2.- Procedure	Hearing notice	Effective	May 1, 1978	44-829(a), K.S.A. 1977 Supp. 44-820(d)	K.S.A. 44-829	No	No	K.S.A. 75-37,121(h)(4) requires the ALRB use the Office of Administrative Hearings for adjudicative hearings under the Kansas Administrative Procedure Act, K.S.A. 77-501 et seq. K.S.A. 77-518 specifies what the hearing notice must contain, so revoking K.A.R. 12-2-14 would not affect Kansans in an adverse fashion.	Yes	No	N/A	No	No	N/A	No	N/A	This regulation has been superseded by K.S.A. 77-518 and can be revoked.

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12-2-15	Article 2.- Procedure	Record of proceedings before the board; prohibited practice cases	Effective	May 1, 1978	44-823(c), 44-829(a), K.S.A. 1977 Supp. 44-820(d)	K.S.A. 44-829	Yes	Yes	This regulation provides guidance on what needs to be in the record should an aggrieved party appeal a hearing officer's decision to the ALRB. Revoking this regulation would hinder the ALRB's ability to efficiently handle appeals.	No	No	N/A	No	No	N/A	No	N/A		
12-2-16	Article 2.- Procedure	Joinder of parties	Effective	May 1, 1978	44-829(a), K.S.A. 1977 Supp. 44-820(d)	K.S.A. 44-829	Yes	Yes	This regulation allows for the ALRB to join all parties alleged to have engaged in unfair practices and allows the board to issue judgment against all parties. It also allows the ALRB to add, drop or substitute parties. Revoking this regulation would require a hearing office to issue separate decisions when there are multiple parties. As a result, the Kansas Department of Labor could have to defend the ALRB on multiple actions if aggrieved parties sought judicial review.	No	No	N/A	No	No	N/A	No	N/A		
12-2-17	Article 2.- Procedure	Strikes or lockout	Effective	May 1, 1978	44-829(a), K.S.A. 1977 Supp. 44-820(d)	K.S.A. 44-829	Yes	Yes	This regulation gives the ALRB authority to waive normal time limitations when dealing with a controversy involving prohibited practices in order to expedite resolution of the matter. Revoking this regulation would limit the board to the normal timelines set out in K.A.R. 12-2-13 and would hinder the ability to resolve controversies, such as strikes and lockouts, in the most expeditious way possible.	No	No	N/A	No	No	N/A	No	N/A		