

■ AGRICULTURAL EMPLOYMENT RELATIONS LAW

TERMS:

Worker Rights — Agricultural workers have the right to form, join and participate in the activities of labor organizations of their own choosing, for the purpose of negotiating with their employers concerning complaints and employment conditions. Farmworkers also have the right not to involve themselves in such activities, and no worker may be required to join a labor organization as a condition of employment.

Recognition of Labor Organizations — Whenever at least 30 percent of the workers in a particular agricultural establishment or work unit submit a petition requesting that the state certify a particular labor organization as their bargaining representative, and their employer has had at least 6 workers for 20 or more days in any month during the 6 months prior to the filing of the petition, the state agency must conduct a secret-ballot election to determine the workers' wishes. Each worker must be given an opportunity to vote for the labor organization of his or her choice, or to choose no representation. Any labor organization certified by the state as a result of such an election is obligated to represent all workers in the work unit involved, even if they are not members of the organization. With some limitations, workers may also request an election whenever they believe a majority of the workforce in the unit no longer wish to be represented.

Prohibited Practices — Among other illegal acts defined in the law, agricultural employers and their agents are prohibited from interfering with farmworkers in the exercise of the rights outlined above, dominating or interfering in the formation or administration of an agricultural labor organization, encouraging or discouraging membership in a labor organization, or refusing to meet and negotiate in good faith with representatives of certified or recognized labor organizations.

ENFORCEMENT: *Agricultural Labor Relations Board, Kansas Department of Labor, Topeka, Kansas 66603.*

This agency is activated only when a complaint is filed with the state Secretary of Agriculture alleging the existence of a controversy. *The Board is currently inactive.*

SPECIAL NOTE: An employer may not fire, punish or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.