

Kansas Administrative Regulations

Agricultural Labor Relations Board

Article 2.—Procedure

12-2-13. Complaints.

a. Who may file—A complaint that any agricultural employee, employee organization or agricultural employer has engaged in or is engaging in any prohibited practice under the act may be filed by an agricultural employee, a group of agricultural employees, an employee organization or an agricultural employer, any of whom may hereafter be referred to as the party filing the complaint.

b. Form and filing—Complaint forms shall be provided by the board. An original and three copies of the complaint shall be filed with the board. (Authorized by K.S.A. 44-829(a).)

c. Answer to complaint—contents—The answer shall contain the following:

(1) A specific admission, denial, or explanation of each allegation of the complaint, or if the filing party is without knowledge thereof, he shall so state, such statement operating as a denial. Admissions or denials may be made to all or part of an allegation but shall fairly meet the substance of the allegation;

(2) A specific detailed statement of any affirmative defense;

(3) A clear and concise statement of the facts and matters of law relied upon. Any allegation in the complaint not specifically denied in the answer, unless the respondent shall state in the answer that the respondent is without knowledge, and the reasons he or she is without knowledge, shall be deemed admitted to be true and may be so found by the board.

d. Answer to complaint—time for filing

1. The party named in the complaint shall file a written answer within seven days after service of the complaint.

e. Amendment to complaint—Any complaint may be amended, in whole or in part, by the complainant at any time prior to the filing of an answer by the respondent. A complaint may be amended by the complainant with approval of the board or its agent

after an answer has been filed by the respondent at any time before the board's final decision or order.

f. Amendment of answer; following amendment of complaint—In any case where a complaint has been amended, the respondent shall have an opportunity to amend his answer within such period as may be fixed by the board.

g. Withdrawal of complaint—Through written notice served on the board, a complaint or any part thereof may be withdrawn at any time.

(Authorized by K.S.A. 44-829(a), K.S.A. 1977 Supp. 44-820(d); effective May 1, 1978.)

***** Authenticated Kansas Administrative Regulation *****