

Kansas Administrative Regulations

Public Employee Relations Board

Article 2.—Procedure

84-2-9. Procedure following filing of petitions.

(a) Petition; amendment or withdrawal. Any petition may be amended, in whole or in part, or withdrawn by the petitioner at any time prior to the filing of an answer by an interested party. A petition may be amended or withdrawn by the petitioner after the filing of an answer by any party or after the board has acted thereon, only with the approval of the board, its designee or the presiding officer and upon such conditions as the board, its designee or the presiding officer may deem proper and just.

(b) Answers. Each party shall file an answer to the petition within 20 days after receipt thereof. The time for filing an answer may be extended by the board, its designee or the presiding officer upon showing of good cause. Failure to answer within 20 days will be deemed as an admission by said party to all allegations in the petition.

(c) Investigation. The parties shall be notified by the board or its designee of the name of the person assigned to investigate the allegations contained in the petition. That person shall direct an investigation of all questions concerning representation, including, if applicable, whether the proof of interest requirement, as set forth in the rules, has been met; whether more than one employee organization seeks to represent some or all of the employees in the allegedly appropriate unit; and whether there is agreement among the parties as to the appropriateness of the alleged unit.

(d) Hearings. The presiding officer may direct a hearing, pursuant to 84-2-2(b), in which event the presiding officer shall prepare and cause to be served upon the parties a notice of hearing before the presiding officer at a time and place fixed therein.

(Authorized by and implementing K.S.A. 75-4323(d)(4) and 75-4327(d); effective, E-72-29, Sept. 29, 1972; effective Jan. 1, 1973; amended May 1, 1975; amended July 30, 1990.)