

IDENTIFYING THE RULE AND REGULATION							PURPOSE	NECESSITY				TIES TO FEDERAL PROGRAMS					POTENTIAL FOR REVOCATION			ADDITIONAL INFORMATION
			Type (new, amended)	Effective Date (history)	Authorizing KSA(s)	Implementing KSA(s)	Briefly describe the public purpose of the rule and regulation.	Is the rule and regulation necessary for the implementation, and administration of state law, or could it be revoked?	Does the rule and regulation serve an identifiable public purpose in support of state law?	Is the rule and regulation broader than necessary to meet its public purpose?		Is the rule and regulation federally required for state participation in a federal program or authority?	Is the rule and regulation necessary for federal delegation of enforcement 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names and the federal agency name	Could federal moneys be in jeopardy under current law if the rule and regulation were repealed?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	Briefly describe how revocation would affect Kansans.	If the rule and regulation is not in active use, would revocation require a change to the authorizing or implementing statute?	If the rule and regulation is not in active use and revocation would require a change to the authorizing or implementing statute, which change(s)?	Additional information necessary to understanding the necessity of this rule and regulation
Number	Article Title	Rule and Regulation Title																		
KLRD Note: No additional information is expected for revoked or transferred rules and regulations.							limited to 400 characters	necessary/ could be revoked	yes/no	yes/no		yes/no	yes/no		yes/no		limited to 600 characters	in active use/ yes/ no	limited to 400 characters	limited to 1,200 characters
84-1-1	Article 1.-General Provisions	Definitions	Amended	July 30, 1990	75-4323(d)	75-4323(d)	Provides definitions to guide administration of PEERA statutes.	necessary	Yes	No		No	No	N/A	No	N/A	Revoking this regulation would make certain terms open to interpretation hindering the Office of Administrative Hearings (OAH) and/or PERB's ability to act with clarity.	In active use	In active use.	
84-1-2	Article 1.-General Provisions	Scope	Amended	July 30, 1990	75-4323 (d), 75-4330 (b), 75-4334 (a), 75-4336, 75-4337	75-4323 (d), 75-4330 (b), 75-4334 (a), 75-4336, 75-4337	Provides scope of the rules including the purpose of the rules, how they should be interpreted, allows for waiver, and contains a separability provision.	necessary	Yes	No		No	No	N/A	No	N/A	Revoking this regulation would hinder the PERB's ability to carry out its statutory duties.	In active use	In active use.	
84-1-3	Article 1.-General Provisions	Computation of time	New	July 30, 1990	75-4323(d)	75-4323(d)	Provides rules for computing time.	necessary	Yes	No		No	No	N/A	No	N/A	Revoking this regulation would hinder the PERB's ability to carry out its statutory duties.	In active use	In active use.	
84-1-4	Article 1.-General Provisions	Registration and reports	New	July 30, 1990	75-4336, 75-4337	75-4336, 75-4337	Requires employee organizations and their business agents to provide PERB copies of reports and licenses they are required to file with the Secretary of State.	necessary	Yes	No		No	No	N/A	No	N/A	Revoking this regulation could result in potential fraud by an employee organization and/or someone purporting to be a business agent.	In active use	In active use.	
84-2-1	Article 2.-Procedure	Service of pleadings	Amended	June 19, 2009	2007 Supp. 75-4323	77-519	Sets out rules for service of process by PERB and by parties.	necessary	Yes	No		No	No	N/A	No	N/A	Revoking the regulation would hinder the ability to efficiently process complaints and other pleadings.	In active use	In active use.	
84-2-2	Article 2.-Procedure	Hearings	Amended	July 30, 1990	75-4323 (c) (d) (4), 75-4327 (c) (d) (e), 75-4332 (b) (c) (d) (e)	75-4323 (c) (d) (4), 75-4327 (c) (d) (e), 75-4332 (b) (c) (d) (e)	Sets out hearing procedure and procedure for appeals to PERB.	necessary	Yes	No		No	No	N/A	No	N/A	Revoking the regulation would hinder the ability to run hearings and appeals efficiently and would discourage the issuance of orders in a timely fashion.	In active use	In active use.	Subsection (a)(1) may need amending to conform better with K.S.A. 75-37,121(h)(1).
84-2-3	Article 2.-Procedure	Intervention and joinder	Amended	July 30, 1990	75-4323 (d) (4), 75-4324, 75-4327 (a) (b) (c) (d) and 75-4328	75-4323 (d) (4), 75-4324, 75-4327 (a) (b) (c) (d) and 75-4328	Provides instructions on how to serve petitions and allows intervention by interested third parties.	necessary	Yes	No		No	No	N/A	No	N/A	Revoking this regulation could result in more frequent elections if more than one union seeks to represent a unit.	In active use	In active use.	
84-2-4	Article 2.-Procedure	Authorization cards; acceptability	Amended	July 30, 1990	75-4323 (d) (4), 75-4324, 75-4327 (a) (b) (c) (d) and 75-4328	75-4323 (d) (4), 75-4324, 75-4327 (a) (b) (c) (d) and 75-4328	Imposes requirements to ensure that actual people are showing interest in forming an employee organization. They must provide their address, signature, and the date.	necessary	Yes	No		No	No	N/A	No	N/A	Revoking this regulation could result in less scrupulous individuals attempting to inflate a showing of interest in forming an employee organization.	In active use	In active use.	
84-2-5	Article 2.-Procedure	Validity of showing of interest	Amended	July 30, 1990	75-4323 (d) (4), 75-4324, 75-4327 (a) (b) (c) (d) and 75-4328	75-4323 (d) (4), 75-4324, 75-4327 (a) (b) (c) (d) and 75-4328	Keeps the showing of interest confidential and requires public employers to provide an alphabetical listing of employees including their home and worksite addresses within units no later than 30 days after a filing of a petition for a certification election following unit determination, unless otherwise directed by PERB or its designee.	necessary	Yes	No		No	No	N/A	No	N/A	Revoking this regulation could result in less scrupulous individuals attempting to inflate a showing of interest in forming an employee organization. It could also result in the disclosure of 'law enforcement officers' home addresses.	In active use	In active use.	
84-2-6	Article 2.-Procedure	Units	Amended	July 30, 1990	75-4323 (d) (4) and 75-4327 (b) (c)	75-4323 (d) (4) and 75-4327 (b) (c)	Provides guidance in determining appropriate units.	necessary	Yes	No		No	No	N/A	No	N/A	Revoking this regulation would hamper unit determinations, making the process less efficient.	In active use	In active use.	
84-2-7	Article 2.-Procedure	Petition for unit determination, unit clarification and investigation or certification or decertification of employee organization; of petition	Amended	July 30, 1990	75-4323 (d) (4) and 75-4327 (d)	75-4323 (d) (4) and 75-4327 (d)	Allows for employer, employees, or employee organization to file petition provided by PERB and specifies requirements.	necessary	Yes	No		No	No	N/A	No	N/A	Revoking this regulation would hinder PERB's ability to process petitions.	In active use	In active use.	
84-2-8	Article 2.-Procedure	Revoked						necessary	Yes	No		No	No	N/A	No	N/A				
84-2-9	Article 2.-Procedure	Procedure following filing of petitions	Amended	July 30, 1990	75-4323 (d) (4) and 75-4327 (d)	75-4323 (d) (4) and 75-4327 (d)	Sets forth the procedure and deadlines after petition filed. Allows for petitioner to amend or withdraw petition.	necessary	Yes	No		No	No	N/A	No	N/A	Revoking this regulation could make post-petition proceedings inefficient and could cause unnecessary delays.	In active use	In active use.	
84-2-10	Article 2.-Procedure	Revoked						necessary	Yes	No		No	No	N/A	No	N/A				
84-2-11	Article 2.-Procedure	Elections; eligibility and conditions	Amended	July 30, 1990	75-4323 (d) (4) and 75-4327 (d)	75-4323 (d) (4) and 75-4327 (d)	Establishes eligibility conditions for voting, timelines, and deadlines for the secret ballot elections K.S.A. 75-4327(d) requires as part of PERB's investigation.	necessary	Yes	No		No	No	N/A	No	N/A	Revoking this regulation will hinder PERB's ability to administer K.S.A. 75-4327(d).	In active use	In active use.	

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84-2-12	Article 2.-Procedure	Elections; procedure	Amended	July 30, 1990	75-4323 (d) (4), 75-4327 (d)	75-4323 (d) (4), 75-4327 (d)	Sets forth the procedures for conducting an election, including who can be observers, prohibiting electioneering, challenging voters, objections to a party's or PERB's conduct, and runoff elections.	necessary	Yes	No	No	No	N/A	No	N/A	Revoking this regulation would hinder PERB's ability to efficiently conduct elections.	In active use	In active use.		
84-2-13	Article 2.-Procedure	Certification of election results	Amended	July 30, 1990	75-4323 (d) (4), 75-4327 (d)	75-4323 (d) (4), 75-4327 (d)	Sets forth when PERB is to certify election results.	necessary	Yes	No	No	No	N/A	No	N/A	Revoking this regulation would hinder PERB's ability to conduct elections.	In active use	In active use.		
84-2-14	Article 2.-Procedure	Mediation and fact-finding	Amended	July 30, 1990	75-4323 (d) (4), 75-4327 (c), (d), (e)	75-4323 (d) (4), 75-4327 (c), (d), (e)	Establishes confidentiality requirements related to mediations, mediator's duties, who may serve as fact-finder, and who may submit proposed findings of fact.	necessary	Yes	No	No	No	N/A	No	N/A	Revoking this regulation would hinder a mediator's ability to resolve disputes, potentially making more work for OAH and PERB. Increasing OAH's workload could result in increased costs to KDOL.	In active use	In active use.		
84-2-15	Article 2.-Procedure	Arbitration	Amended	July 30, 1990	75-4323 (d) (4), 75-4330 (b)	75-4323 (d) (4), 75-4330 (b)	Establishes arbitration process.	necessary	Yes	No	No	No	N/A	No	N/A	Revoking this regulation could potentially make more work for OAH and PERB. Increasing OAH's workload could result in increased costs to KDOL.	In active use	In active use.		
84-3-1	Article 3.-Prohibited Practices	Complaints	Amended	July 30, 1990	75-4323 (d) (4)	75-4323 (d) (4)	Sets out who may file complaints, what forms provided by the board, what an answer must contain, deadlines to answer, allows parties to amend complaints and answers, and allows complaints to be withdrawn.	necessary	Yes	No	No	No	N/A	No	N/A	Revoking this regulation would hinder PERB's ability to efficiently process complaints.	In active use	In active use.		
84-3-2	Article 3.-Prohibited Practices	Hearing notice	Amended	July 30, 1990	75-4323 (d) (4)	75-4323 (d) (4)	Specifies hearing notice requirements when formal proceedings are instituted.	necessary	Yes	No	No	No	N/A	No	N/A	Revoking this regulation would hinder PERB's ability to efficiently process complaints.	In active use	In active use.		
84-3-3	Article 3.-Prohibited Practices	Record of proceedings before the board; prohibited practice cases	Amended	July 30, 1990	75-4323, 75-4334	75-4323, 75-4334	Sets out what needs to be in the record should an aggrieved party appeal a hearing officer's decision to PERB.	necessary	Yes	No	No	No	N/A	No	N/A	Revoking this regulation would hinder PERB's ability to efficiently handle appeals.	In active use	In active use.		
84-3-4	Article 3.-Prohibited Practices	Joinder of parties	Amended	July 30, 1990	75-4323, 75-4327, 75-4332, 75-4334	75-4323, 75-4327, 75-4332, 75-4334	Allows PERB to join all parties alleged to have engaged in unfair practices and allows the board to issue judgment against all parties. It also allows PERB to add, drop or substitute parties.	necessary	Yes	No	No	No	N/A	No	N/A	Revoking this regulation would require a hearing officer to issue separate decisions when there are multiple parties; potentially resulting in KDOL defending PERB on multiple actions if aggrieved parties seek judicial review. Increasing OAH's workload could result in increased costs to KDOL. Defending KDOL in multiple actions would increase staff workload and could increase travel costs.	In active use	In active use.		
84-3-5	Article 3.-Prohibited Practices	Findings of fact; conclusions of law; recommendation	Amended	July 30, 1990	75-4323 (d), (4)	75-4323 (d), (4)	Requires Presiding Officer to follow K.S.A. 77-526(c) when making findings of fact, conclusions of law, and issuing initial orders.	necessary	Yes	No	No	No	N/A	No	N/A	Revoking this regulation could result in a Presiding Officer not issuing an order in accordance with K.S.A. 77-526(c).	In active use	In active use.		
84-3-6	Article 3.-Prohibited Practices	Strikes or lockouts	Amended	July 30, 1990	75-4323 (d) (4), 75-4334 (a)	75-4323 (d) (4), 75-4334 (a)	Allows PERB to waive normal time limitations when dealing with a controversy involving prohibited practices in order to expedite resolution of the matter.	necessary	Yes	No	No	No	N/A	No	N/A	Revoking this regulation could hinder PERB's ability to handle cases involving public employers who are not state agencies.	In active use	In active use.		
84-4-1	Article 4.-Local Government Procedures	Application for approval	Amended	July 30, 1990	75-4323 (d) (4), 75-4335	75-4323 (d) (4), 75-4335	Sets out application requirements for public employers not fully subject to PEERA to have their procedures recognized by PERB.	necessary	Yes	No	No	No	N/A	No	N/A	Revoking this regulation could hinder PERB's ability to handle cases involving public employers who are not state agencies.	In active use	In active use.	Only K.S.A. 75-4322, 75-4323, 75-4324, 75-4325, 75-4326, 75-4327, 75-4328, 75-4333 and 75-4334 apply to public employers who are not state agencies. Regulations in Article 4 set out procedures for those who elect to proceed under PEERA.	

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84-4-2	Article 4.-Local Government Procedures	Objections	Amended	July 30, 1990	75-4323 (d) (4), 75-4335	75-4323 (d) (4), 75-4335	Sets objection deadline and allows for late filing under "extraordinary circumstances".	necessary	Yes	No	No	No	N/A	No	N/A	Revoking this regulation could hinder PERB's ability to handle cases involving public employers who are not state agencies in an efficient manner. If a party sought judicial review, a judge might find excusable neglect and remand the case, or they might decide the issue. This could result in further appeals depending on the facts of the case.	In active use	In active use.	Only K.S.A. 75-4322, 75-4323, 75-4324, 75-4325, 75-4326, 75-4327, 75-4328, 75-4333 and 75-4334 apply to public employers who are not state agencies. Regulations in Article 4 set out procedures for those who elect to proceed under PEERA.
84-4-3	Article 4.-Local Government Procedures	Investigation and hearing	Amended	July 30, 1990	75-4323 (d) (4), 75-4335	75-4323 (d) (4), 75-4335	Provides for investigation and sets out requirements if a hearing is required.	necessary	Yes	No	No	No	N/A	No	N/A	Revoking this regulation could hinder PERB's ability to handle cases involving public employers who are not state agencies.	In active use	In active use.	Only K.S.A. 75-4322, 75-4323, 75-4324, 75-4325, 75-4326, 75-4327, 75-4328, 75-4333 and 75-4334 apply to public employers who are not state agencies. Regulations in Article 4 set out procedures for those who elect to proceed under PEERA.
84-4-4	Article 4.-Local Government Procedures	Determination by the presiding officer	Amended	July 30, 1990	75-4323, 75-4335	75-4323, 75-4335	Sets deadline for Presiding Officer to issue decision.	necessary	Yes	No	No	No	N/A	No	N/A	Revoking this regulation could discourage timely issuance of decisions and hinder PERB's ability to handle cases involving public employers who are not state agencies.	In active use	In active use.	Only K.S.A. 75-4322, 75-4323, 75-4324, 75-4325, 75-4326, 75-4327, 75-4328, 75-4333 and 75-4334 apply to public employers who are not state agencies. Regulations in Article 4 set out procedures for those who elect to proceed under PEERA.
84-4-5	Article 4.-Local Government Procedures	Termination or amendment of procedures by a local government	Amended	July 30, 1990	75-4323 (d) (4), 75-4335	75-4323 (d) (4), 75-4335	Specifies requirements for termination or amendment of procedures. These are conditions for initial approval.	necessary	Yes	No	No	No	N/A	No	N/A	Revoking this regulation could hinder PERB's ability to handle cases involving public employers who are not state agencies. It could also result in public employers who are not state agencies changing or eliminating procedures without notice.	In active use	In active use.	Only K.S.A. 75-4322, 75-4323, 75-4324, 75-4325, 75-4326, 75-4327, 75-4328, 75-4333 and 75-4334 apply to public employers who are not state agencies. Regulations in Article 4 set out procedures for those who elect to proceed under PEERA.
84-4-6	Article 4.-Local Government Procedures	Local regulations	Amended	May 1, 1975	75-4323 (d)(4), 75-4335		Once approved, requires employee organization to perform duties set out in K.S.A. 75-4327 and K.S.A. 75-4328 and sets deadline to adopt procedures.	necessary	Yes	No	No	No	N/A	No	N/A	Revoking this regulation could hinder PERB's ability to handle cases involving public employers who are not state agencies.	In active use	In active use.	Only K.S.A. 75-4322, 75-4323, 75-4324, 75-4325, 75-4326, 75-4327, 75-4328, 75-4333 and 75-4334 apply to public employers who are not state agencies. Regulations in Article 4 set out procedures for those who elect to proceed under PEERA.
84-4-7	Article 4.-Local Government Procedures	Procedures for the review of implementation of local government procedures pursuant to K.S.A. 75-4335	Amended	July 30, 1990	75-4323 (d) (4), 75-4335	75-4323 (d) (4), 75-4335	Provides procedures for dealing with public employer who has elected to proceed under PEERA but has not complied with legal requirements.	necessary	Yes	No	No	No	N/A	No	N/A	Revoking this regulation could hinder PERB's ability to handle cases involving public employers who are not state agencies.	In active use	In active use.	Only K.S.A. 75-4322, 75-4323, 75-4324, 75-4325, 75-4326, 75-4327, 75-4328, 75-4333 and 75-4334 apply to public employers who are not state agencies. Regulations in Article 4 set out procedures for those who elect to proceed under PEERA.
84-5-1	Article 5.-Impasse	Impasse; petition; filing	Amended	July 30, 1990	75-4323 (d) (4), 75-4332(a), (b)	75-4323 (d) (4), 75-4332(a), (b)	Authorizes employee organizations, public employer organizations, and public employers to file impasse petitions.	necessary	Yes	No	No	No	N/A	No	N/A	Removing the ability to file an impasse petition could result in parties acting in bad faith.	In active use	In active use.	Only K.S.A. 75-4322, 75-4323, 75-4324, 75-4325, 75-4326, 75-4327, 75-4328, 75-4333 and 75-4334 apply to public employers who are not state agencies. Regulations in Article 4 set out procedures for those who elect to proceed under PEERA.