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Subject State Provisions -
Acts Laws - Public
by to Employer - Employee



STATE OF KANSAS

Office of the Attorney General

State Capitol Bldg. (913) 296-2215 Topeka, Kansas 66612

VERN MILLER
Attorney General

February 22, 1974

Opinion No. 74- 64

Mr. Wayne A. Schwartz, President
Hays Firefighters Assn., Local 2119
P.O. Box 372
Hays, Kansas 67601

Dear Mr. Schwartz:

You request our opinion relative to whether a work "slow-down" could constitute a strike within the meaning of K.S.A. 1973 Supp. 75-4322(r). The section provides:

"'Strike' means an action taken for the purpose of coercing a change in the conditions, rights, privileges or obligations of employment through the failure by concerted action with others to report for duty or to work at usual capability in the performance of the normal duties of employment."

Certainly within the context of the foregoing a work "slow-down" could constitute a strike. The Public Employees Relations Board is charged with the responsibility of determining from the facts presented to it whether such a condition exists.

In regard to your second question, this office is aware of no state statute requiring firemen or police officers to reside within the city's corporate limits.

Yours very truly,

Handwritten signature of Vern Miller in cursive.

VERN MILLER
Attorney General

VM:DRH:jsm