

**345.050 Activities prohibited and duty to bargain in good faith.**

- (1) Public employers, their representatives or their agents are prohibited from:
  - (a) Interfering, restraining or coercing firefighters in the exercise of the rights guaranteed in KRS 345.030;
  - (b) Dominating or interfering with the formation, existence or administration of any labor organization;
  - (c) Discriminating in regard to hiring or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization; provided, that nothing in this chapter, or in any other statute of this state, shall preclude a public employer from making an agreement with a labor organization to require as a condition of employment membership therein on or after the thirtieth day following the beginning of such employment or on the effective date of such agreement, whichever is the later;
  - (d) Discharging or otherwise discriminating against an employee because he has signed or filed any affidavit, petition or complaint or given any information or testimony under this chapter;
  - (e) Refusing to bargain collectively in good faith with a labor organization which is the exclusive representative of employees in an appropriate unit, including but not limited to the discussing of grievances with the exclusive representative.
- (2) Labor organizations or their agents are prohibited from:
  - (a) Restraining or coercing:
    1. Firefighters in the exercise of the right guaranteed in subsection (1) of KRS 345.030, and
    2. A public employer in the selection of his representative for the purposes of collective bargaining or the adjustment of grievances;
  - (b) Refusing to bargain collectively in good faith with a public employer, if they have been designated in accordance with the provisions of this chapter as the exclusive representative of firefighters in an appropriate unit.
- (3) For the purposes of this chapter, to bargain collectively is to carry out in good faith the mutual obligation of the parties, or their representatives; to meet together at reasonable times, including meetings in advance of the budget-making process; to negotiate in good faith with respect to wages, hours and other conditions of employment; to negotiate an agreement; to negotiate any question arising under any agreement; and to execute a written contract incorporating any agreement reached, if requested by either party. The obligation shall not be interpreted to compel either party to agree to a proposal, or require either party to make a concession.

**History:** Created 1972 Ky. Acts ch. 120, sec. 6.