

MINUTES OF THE HOUSE COMMITTEE ON LABOR AND INDUSTRY.

The meeting was called to order by Chairman David Heinemann at 9:00 a.m. on February 2, 1994, in Room 526-S of the Capitol.

All members were present except: Representative Carmody (excused)
Representative Cornfield (excused)
Representative Hayzlett (excused)
Representative Mason (excused)

Committee staff present: Jerry Ann Donaldson, Legislative Research Department
Jim Wilson, Revisor of Statutes
Kay Scarlett, Committee Secretary

Conferees appearing before the committee:

Craig Grant, Kansas National Education Association
Paul K. Dickhoff, Jr., Director of Negotiations, Kansas Association of Public Employees
Terry McGuire, Geary County Employee
Carolyn Kellar, City of Douglass Employee
William A. Butler, Former City of Prairie Village Employee
Mark Pentz, City Manager, City of Leavenworth
Thomas Schaefer, Assistant to the City Administrator, City of Lenexa

Others attending: See attached list

Hearing on HB 2454 - Public employer-employee relations law, local government option.

Jim Wilson, Revisor of Statutes, briefed the committee on HB 2454. He stated that this bill basically deletes Section 1 (c) K.S.A. 75-4321 which allows the governing body of any public employer to come under the Public Employer Employee Relations Act. By removing this section, all governing bodies would automatically come under this law, rather than just having the option to elect to do so. Chairman Heinemann then opened the hearing on HB 2454.

Craig Grant representing the Kansas National Education Association spoke in support of HB 2454. School support personnel, secretaries, paraprofessionals, custodians, food service workers, and others come under this act. These employees should have the right to collectively talk to the board of education about salaries and other terms of employment. However, only three districts, Wichita, Hays, and Kansas City, recognize school support workers under PEERA. (Attachment 1)

Paul K. Dickhoff, Jr., Director of Negotiations, Kansas Association of Public Employees, strongly supports passage of HB 2454 repealing the local option provision. This act was established to obligate public employers and employee organizations to enter into formalized communications as a means of resolving their differences and improving the relationship between government and its employees. This is just as important at local levels of government as at the state level. (Attachment 2) Mr. Dickhoff then introduced three local government employees to share their experiences with the committee.

Terry McGuire, a fifteen year employee in the Public Works Department of Geary County, related their 2-year struggle with the Geary County Commission concerning employee benefits and treatment. (Attachment 3) Carolyn Kellar, a city employee of Douglass, Kansas, feels the employees of Douglass are victims of the local option. State laws regarding organization and representation do not apply unless and until a city recognizes PEERA. Employees desiring representation must go before the governing body to request the right to be represented which is at the discretion of the governing body. As a result of their effort to organize in Douglass, the 14 city employees felt that they had met with intimidation, harassment, and in some cases termination. (Attachment 4)

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON LABOR AND INDUSTRY, Room 526-S Statehouse, at 9:00 a.m. on February 2, 1994.

William A. Butler, former Assistant Director of Public Works with the City of Prairie Village, urged the committee's support of HB 2454 as a victim of what can happen under the local option provision. In 1989, when city employees approached the city council with a petition asking them to voluntarily come under the provisions of PEERA and were denied, employees who participated were harassed and threatened with the loss of their jobs. As a result of this effort, he felt his position had since been eliminated. Public employees deserve the right to stand up for themselves when inequities and unfair treatment occur without the fear of retaliation and loss of jobs. (Attachment 5)

The Leavenworth City Commission represented by Mark Pentz, City Manager, appeared in opposition to HB 2454. They feel personnel management should remain a local responsibility and oppose any legislation that would mandate collective bargaining. Adoption of HB 2454 would allow multiple bargaining groups, thereby replacing a system which efficiently and fairly treats all employees equally with a system of multiple bargaining units and multiple personnel rules and regulations. Collective bargaining, by definition, creates an adversarial employee-employer relationship. The City of Leavenworth has a system that works, with the Employee Council being a representative body that has input into policy decisions affecting city personnel. They do not feel the City, its employees or taxpayers, have anything to gain by legislation that would require the City to participate in an adversarial, collective bargaining process. (Attachment 6)

Thomas Schaefer, Assistant to the City Administrator for the City of Lenexa, testified in opposition to HB 2454. They felt the bill contradicts the principle of "Home Rule" for cities which was constitutionally adopted by the citizens of Kansas. This proposed legislation represents another example of unwarranted interference in the affairs of local government and their ability to manage their own communities. (Attachment 7)

The meeting adjourned at 10:05 a.m. The next meeting is scheduled for February 7, 1994.

GUEST LIST

COMMITTEE: HOUSE LABOR AND INDUSTRY

DATE: 2-2-94

NAME	ADDRESS	COMPANY/ORGANIZATION
Wayne Maisher	Top	% AFL-CIO
Mylene Kelley	Top	KAPE
Kelly Jennings	Top	KAPE
PAUL K. DICKHOFF JR.	WAKARUSA	KAPE
Marilyn Calkins	Prairie Village, KS	P.V. Public Works
William A. Butler	Shawnee Mission, KS	KAPE
Carolyn Kellar	Lawrence, KS	Lawrence City Clerk
Theresa (Jerry) McGuire	Sanction City, ^{Geary} Co.	Geary Co. Pub. Wks.
Tess Barton	Topeka	KAPE
Chris McKenzie	"	League of Cs. Muncip.
Craig Grant	Topeka	ITNEA
Jerry Hails	Topeka	Div. Person. Serv.
Tom KANATZAR	K.C., KS.	LOCAL 64 IAFF
Robert S. Wing	K.C., KS.	K. St. C. Fire Dept.
Scott Stone	Topeka	KAPE
Pat Baker	Topeka	KASB
Jessie Coppage	Topeka	AFSCME - Council 64 - AFL-CIO
Gary Leitnaker	"	Dept of Adm/DPS
James A. Ladd	Wichita	KS FFA
Robert Adams	Lawrence	City Comm.
Marquell B. Strang	Lawrence	City Comm.
Mark Poff	Lawrence	City Manager
Michelle Peterson	Topeka	Ks. Gov. Consulting

GUEST LIST

COMMITTEE: HOUSE LABOR AND INDUSTRY

DATE: 2/2/94

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KANSAS NATIONAL EDUCATION ASSOCIATION / 715 W. 10TH STREET / TOPEKA, KANSAS 66612-1686

Craig Grant Testimony Before
House Labor & Industry Committee
Wednesday, February 2, 1994

Thank you, Mr. Chairman. I am Craig Grant and I represent Kansas NEA. I appreciate this opportunity to visit with the committee in favor of HB 2454.

Kansas NEA has as part of its membership a category of education support personnel, or ESP. Our ESP members are the secretaries, paraprofessionals, custodians, food service workers and others whose lives touch students each and every school day. They are an important part of the operation of our schools and have made significant contributions toward the education of Kansas children.

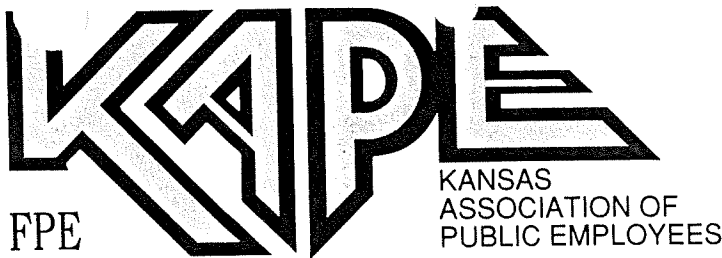
Our ESP members have a problem. They often want to have the right to talk to the board of education about salaries and other terms of employment. They are under the PEER act. The PEER act states that a local unit of government may opt in or opt out of the negotiating process. School districts choose to opt out. Some school districts have policies which cover the salaries and terms of employment. However, those policies can be overturned just as easily as they were implemented. As best we can determine, only three districts--Wichita, Hays, and Kansas City--recognize school support workers for negotiations under the PEER act.

It is not that we have not tried. Unit determinations and selection of an agent--the first steps in being recognized--have happened in a number of districts only to have the Board refuse to recognize the unit for discussions. HB 2454 will end that arbitrary denial.

Nothing in this bill will require a board or a city or a county to agree to anything. Nothing in this bill will take away any local control. Nothing in this bill requires ESP workers to organize if they do not want to do so. All it will do is to require a Board to talk with its employees if so requested.

That is the basic change. It asks for a basic right--the right to talk with the boss on a collective basis. It is not too much to ask. It is not too much for this committee and the Legislature to grant.

Kansas NEA asks that you pass HB 2454 because it is the fair and proper thing to do. Thank you for listening to our concerns.



1300 South Topeka Avenue Topeka, Kansas 66612 913-235-0262 Fax 913-235-3920

TESTIMONY OF PAUL K. DICKHOFF, JR.

DIRECTOR OF NEGOTIATIONS, KANSAS ASSOCIATION OF PUBLIC EMPLOYEES

In Support of
House Bill 2454
(Repeal of the "local option" - K.S.A. 75-4321 [c])

My name is Paul Dickhoff and I appreciate the opportunity to appear here today in behalf of the Kansas Association of Public Employees to speak in favor of H.B. 2454. I have been employed by KAPE for the past five years as their Director of Negotiations, but prior to that time I was employed for 12 years by the State of Kansas in the Dept of Human Resources to administer the very law that H.B. 2454 seeks to amend.

During those past 17 years, I have been approached on several occasions regarding the local option, by public employees who work for political subdivisions other than the state. Those employees express a need for the services of an employee organization to help them in their dealings with their employers. If those employees worked for any private industry, the federal government, or state service, they would be able to realize their goal of formal organization and representation. The fact that they work in Kansas for a political subdivision makes attainment of that goal a virtual impossibility because of the local option. By their choice of employment, those employees are denied a right which is enjoyed



by virtually every other citizen of this state, and a right which the United States encourages even within newly emerging democracies throughout the world.

H.B. 2454 seeks to remedy that injustice by amending the Public Employer Employee Relations Act. That statute, passed in 1972, contains a declaration of public policy which states in part; "The people of this state have a fundamental interest in the development of harmonious and cooperative relationships between government and its employees". That declaration goes on to state that, "The denial by some public employers of the right of public employees to organize, and the refusal by some to accept the principle and procedure of full communication between public employers and public employee organizations, can lead to various forms of strife and unrest". Other subsections of that statement indicate that the act is established to obligate employers and employee organizations to enter into formalized communications as a means of resolving their differences, and improving the relationship between government and its employees.

The 1972 legislature is to be commended for their progressive adoption of the act as their method of attaining their intended purpose of harmonious relationships between government and its employees. They mandated the statutory process on the state and its agencies, but unfortunately, made application of the law optional with all other political subdivisions. Many progressive elected officials have brought themselves under the act and have experienced improved relationships with their employees as a result of that action. Ironically, however, the local option provision

permits the very employers most in need of improvement in this area to legally ignore that need and the needs of their employees. The public policy intent of the statute may, therefore, may never be realized in those subdivisions.

In light of the local option loophole, one must ask oneself several questions. Are harmony and cooperation any less important at the local level of government than they are at the state level? Is open communication and a good faith effort to resolve differences any less important at the local level than at the state level? Are the interests of employees at the local level any less important than the interests of employees at the state level? I'm sure the committee would agree that the answer to each of those questions is an emphatic and undeniable NO! The next question then becomes, should public employees at the local level be denied the opportunity to enjoy the same rights of citizenship enjoyed by nearly every other citizen of Kansas? Again the answer is clearly a resounding NO!

H.B. 2454 seeks to abolish this inequity through equal application of the law to all levels of government, and KAPE, therefore, strongly supports its passage.

Some will come before you to express an unfounded fear that abolishment of the local option will result in some terrible consequence. The PEERA act, passed in 1972, automatically applies to the state but has not resulted in the ruination of state government. Its application to local units of government will not result in their demise either. The current act allows political subdivisions to opt out of coverage as easily as they opt into

coverage, but interestingly enough, not one public employer who has adopted coverage has ever opted back out of coverage. The benefits derived from coverage, as envisioned by the 1972 legislature, are quite simply much more positive than any perceived negative effects. H.B. 2454 is an effort to correct a needless injustice, and I respectfully submit that its passage is long overdue. I, therefore, encourage your favorable action on this bill.

I appreciate your consideration of my comments and I would be happy to answer any of your questions. Perhaps, however, some of the best specific examples of past problems caused by the local option could be derived from individuals who have experienced those problems first hand, and with your permission Mr. Chairman I would like to introduce Ms. Terry McGuire, Ms. Carolyn Keller, and Mr. Bill Butler who have come here today to share some of those experiences with you.

TESTIMONY IN SUPPORT OF HOUSE BILL 2454

Thank you for the opportunity to speak this morning on the repeal of local option as it pertains to the Public Employer Employee Relations Act. My name is Terry McGuire. I am an employee of Geary County with fifteen years of service in the Public Works Department.

Historically the Geary County Commission operated in secrecy when it came to employee benefits and treatment. Each department was left to feel slighted by another, and policies varied from department to department.

The universal response to any questions or concerns when presented to the county commission was "if you don't like the way things are, we have a stack of applications in the office from people who would love to take your job."

County employees were routinely promised raises in July when the budgets were approved for the following January. Each January, however, we were told that there was not enough money but maybe on review in July we would receive a little more. Again and again we were asked to wait "until next year" while a few select employees received raises.

In January of 1992 the County Commission said that most employees would receive no pay increase since the cost of health insurance had gone up. This, along with deteriorating working conditions, forced us to pursue action to have our needs addressed. We finally realized that we would have to join together and take united action.

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At our first employee meeting a petition asking the commission to listen to our concerns was signed by 96 of the 120 employees.

We decided that the only way to have our problems addressed would be through negotiations with the county under the Public Employer Employee Relations Act. We requested the County Commission to voluntarily come under PEERA and were denied.

After being denied the rights that state employees and all private employees enjoy, we began to inform the public of our situation through the local media. We published letters to the editor explaining our position and what we hoped to accomplish. Our efforts met with public surprise at our working conditions and approval for the right to organize.

When representatives from the community met with the Commission to request on our behalf that they come under PEERA, they were told "we are sick and tired of having the employee's concerns crammed down our throats".

The employees then started an active campaign to elect two new commissioners who were sympathetic to our request for representation.

We held forums and campaigned and in November, 1992 elected two new commissioners who voted in favor of coming under PEERA.

We voted under the provisions of PEERA to elect the Kansas Association of Public Employees as our official representative and soon will begin negotiations with the county.

It has been a long and stress-filled two year battle. Some employees fear for their jobs and wonder if their involvement will cause them promotional problems in the future. Threats to that effect, both subtle and not so subtle, still surface.

The county has lost more than twelve skilled employees, most of whom were trained by the county.

It will still take time before our working conditions reach parity with others doing the same job. Other benefits, such as longevity, health insurance, grievance policies. etc. still need to be addressed.

I feel it is a sad commentary on life in Kansas when loyal local public employees have to fight for the same rights given to other public employees in the state.

Local public employees should not have to risk their jobs and worry about the welfare of their families in order to receive fair and equal treatment in the workplace.

I hope that no other group of county or city employees has to go through the ordeal we have. We are not second class citizens and deserve to be treated better. Please repeal the local option provision and give all workers the equal rights and respect they so deserve.

TESTIMONY OF CAROLYN KELLAR
CITY EMPLOYEE OF DOUGLASS, KANSAS

In Support of
House Bill 2454
(Repeal of the "local option" - K.S.A. 75-4321, c)

Mr. Chairperson and distinguished members of the committee.
Thank you for giving me the opportunity to speak before the
committee in support of House Bill 2454. My name is Carolyn
Kellar. I am a city employee from Douglass, Kansas. I have
worked for the city of Douglass, for three years.

I welcome the opportunity to appear before any group in
order to get this story told so I greatly appreciate the
opportunity to appear before you as the officials who can truly
resolve this problem. The employees of Douglass are victims of
the "local option" portion of the Public Employer Employee
Relations Act. State laws regarding organization and
representation do not apply unless and until a city recognizes
PEERA. Employees who desire representation must go before the
governing body to request the right to be represented.
Strangely, the employees experiencing the poorest working
conditions and treatment by their employers are the ones most in
need of representation, but are also the least likely to get it
because of the local option provision. The employees of Douglass
are among those employees.

As a result, the effort to organize the 14 employees in
Douglass has been met with intimidation, harassment and in some
cases, termination. Since April of this year 6 of the 14

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employees who signed cards stating their desire to be represented have been fired and all 14 have been harassed.

Personally, my life has been threatened. On July 14, the night the Council defeated the Local Option by a vote of 3-2, I received a call after that meeting, at home. The caller simply said, "The union in Douglass is dead, leave it alone or you will be too."

Another member, now terminated, stated he was run off the road and overturned his pickup. He has a broken collar bone and nerve damage to his hand.

Employees are under surveillance at work and at home by the mayor and others in his circle.

Threats have even been made to citizens of the community who support this cause.

All of this has happened to us because we are basically asking to have the same rights granted to us which other citizens of the state of Kansas enjoy. This is the fourth time the employees of Douglass have asked to be represented.

Our struggle is not isolated. It can happen in every city and county group in this state as well as to non-teaching school district employees. I am asking that you support this legislation and extend to us the same rights afforded to others in this state.

These incidents can happen anywhere, but it is most tragic when a governing body elected by its citizens retaliates against a part of its citizenry who represent a differing viewpoint or seek the right to "meet and confer" over their working conditions.

TESTIMONY OF WILLIAM BUTLER
FORMER ASSISTANT DIRECTOR OF PUBLIC WORKS
CITY OF PRAIRIE VILLAGE

In support of
House Bill 2454

My name is William A. Butler. I come before you this morning to urge your support in the repeal of the local option provision of the Public Employer Employee Relations Act. I appear before you this morning a victim of what is occurring under the local option provision.

In September of 1987 I began my career with the city of Prairie Village as an Administrative Assistant and ended my career with the city as the Assistant Director of Public Works. I had job offers from private enterprises as well as the federal government but I chose instead to go to work for the City of Prairie Village, believing I could make a positive contribution to my community.

The dilemma we as employees have faced began in the fall of 1988, when I and other employees were instructed by various supervisors not to talk to the City Council members or the mayor without prior authorization. We were not to discuss any of our concerns on the way tax dollars were being misspent or as to our own ill-treatment as employees. In fact, some employees were prohibited from discussing ANY matter with our elected officials. We were constantly threatened with the loss of our jobs if we didn't obey, but finally enough was enough!

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In 1989, a majority of city employees approached the City Council with a petition asking them to voluntarily come under the provisions of the public Employer Employee Relations Act. We were denied.

Employees who participated in this request have continued to be harassed and threatened with loss of their jobs. As a leader of this effort my position has since been eliminated. Without the protection of PEERA we, the employees, stand no chance of ever receiving fair and equitable treatment.

All we ask as local employees are the same rights as other public employees and all private employees in the great state of Kansas. We have attempted to use the legal means available to us to gain representation but have been flatly rejected. I urge you to repeal the local option provision. Give us the right to stand up for ourselves when inequities and unfair treatment occur, and to do so without the fear of retaliation and loss of jobs. We need your help and support.

CITY OF LEAVENWORTH, KANSAS

POSITION ON HOUSE BILL 2454

February 2, 1994

The Leavenworth City Commission opposes House Bill 2454. Personnel management should remain a local responsibility and the City of Leavenworth oppose any legislation that would mandate collective bargaining or the recognition of employee organizations. The local option provision of the existing Kansas public employer-employee relations law should be retained to allow local governing bodies the latitude to come under the act if local conditions so warrant.

The City of Leavenworth has a comprehensive personnel program applicable to all City employees which includes rules and regulations and grievance procedures. The City's Employee Council meets on a regular basis and its members are selected by each employee group. Adoption of House Bill 2454 would create a situation where the City could be faced with two, three or even four employee groups for collective bargaining purposes. The efficiency and fairness of treating all of our employees equally would be replaced by a system of multiple bargaining units and multiple personnel rules and regulations that would drive up the City's personnel management costs. Collective bargaining, by definition, creates an adversarial employee-employer relationship. Over the years this has been evidenced by the Leavenworth School District through its negotiations with the NEA. The publicity that has surrounded the school district's labor negotiations has not been good for either the school district, its employees, or patrons. Although a few City employees would like to bring collective bargaining to the City of Leavenworth, the City's use of its Employee Council as a representative body has, on the whole, been effective and free of controversy.

Those employees who argue that the Employee Council is not an effective advocacy group ignore the facts. In 1989 the Employee Council went through a much-needed update of the City's Personnel Manual. The manual had not been updated since 1979. This process took almost 9 months and resulted in the City Commission adopting almost all of the Employee Council's proposed revisions to the manual, as well as the Employee Council's recommendations for a number of benefit improvements. Another major revision was approved in November of 1993 and became effective in January of 1994. The attached chart reflects a large number of benefit enhancements that occurred as a result of the 1989 Personnel Manual revisions, and subsequent revisions in 1990, 1991 and 1993. Although some employees will never be happy with the City's benefit plan, a reasonable person would be hard-pressed to

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say that the City Commission has not been responsive over the past few years in adopting a benefit plan that meets or exceeds those of many Leavenworth employers.

For the past eight years the City of Leavenworth has had a performance-based pay plan. Salary increases are not automatic as in some communities. The City no longer provides "cost of living" pay adjustments, but rather bases individual employee pay adjustments upon the results of annual performance evaluations. Some employees do not like this pay plan since it ties the amount of one's salary increase directly to level of performance. The City of Leavenworth's pay ranges for each position are slightly less than the average for similar positions in municipalities throughout the Kansas City metropolitan area. Although we would like to be on par with the average for other cities in the metro area, our limited tax base has not enabled us to achieve this. However, even setting our pay ranges at just under average, we have been able to offer our employees good pay increases over the past six years. For example, over the six-year period from 1988 to 1993, the City's commissioned police officers saw their salaries increase by an average of 49.4%. During this same 6-year period the Consumer Price Index increased by 26.4%. Given the economic and tax climate over the past 6 years, we feel that our salary increases have been very fair. Unfortunately, some employees will always feel that a union, through a collective bargaining situation, would have gotten them more.

All in all, the City of Leavenworth has a personnel system that works. The Employee Council is a representative body that has input into policy decisions affecting the personnel system. The City's benefit plan is good and has been improved significantly over the past few years. The City's pay plan ties salary increases to performance levels, and the percentage increases since 1988 have been competitive. We do not feel that the City of Leavenworth, its employee or taxpayers, have anything to gain by legislation that would require the City to participate in an adversarial, collective bargaining process.

WMP:ssb
HB2454

CITY OF LEAVENWORTH

EMPLOYEE BENEFITS IMPROVEMENTS SINCE 1989

	<u>BENEFITS PRIOR</u> <u>TO 1989</u>	<u>BENEFITS IMPROVED</u> <u>SINCE 1989</u>
1. Annual Leave	0-5 yrs service - 10 days over 5 yrs - 15 days 10-14 yrs - 17.5 days over 15 yrs - 20 days	0-5 yrs service - 12 days 5-9 yrs - 15 days
2. Family Medical & Dental insurance premiums	100% of single and 50% of family coverage for full-time regular employees; 50% for part-time regular employees and 25% of family coverage	100% of single and 75% of family coverage for full-time regular employees; 50 % for part-time regular employees and 37 1/2% of family coverage
3. Longevity Pay	After 5 yrs, \$2/mo for each month of service to max of \$240	After 5 yrs of service, \$5/mo for each month of service to max of \$600
4. Sick leave payments at retirement	20% of accrued sick leave paid at retirement	40% of accrued sick leave paid at retirement
5. Sick leave accrual payments upon separation in good standing	None	20% of accrued sick leave paid upon separation in good standing
6. Community Center Pass	None	Free pass for employee use of Community Center plus reduced rates for family
7. Tuition Reimbursement	None	Up to \$750 per year tuition reimbursement for job-related courses
8. Vacation Leave accrual maximum	200 hours	240 hours
9. Employee Assistance Program	None	3 free visits per household to Tirrell & Assoc., the EAP provider

BENEFITS PRIOR
TO 1989

BENEFITS IMPROVED
SINCE 1989

- | | | |
|--|---------------------|--|
| 10. Funeral leave (in addition to vacation leave) | 3 days in all cases | 5 days - death of spouse or children, 3 days for other family members |
| 11. Mileage Reimbursement | \$.19/mile | \$.26/mile |
| 12. Meal Reimbursement (when on City business) | \$22/day | \$26/day (\$34/day in designated high-cost areas) |
| 13. KPERS Group Life Insurance | None | Optional group life insurance; very competitive rates available through payroll deduction |
| 14. Section 125 Plan | None | Payroll deduction plan which allows money to be taken pre-taxes for health and dental coverage. Optional coverage includes disability, cancer, intensive care, accidental death and deferred compensation. |
| 15. Other employee benefits that have been available for many years and have not changed since 1988: | | |
| 10 paid holidays
No cap on sick leave accrual
Deferred compensation program (ICMA)
Social Security
KPERS/KP&F
Call-back pay--2-hour minimum
Family leave | | |

TESTIMONY REGARDING HOUSE BILL 2454
HOUSE COMMITTEE ON LABOR AND INDUSTRY

WEDNESDAY, FEBRUARY 2, 1994

PRESENTED BY THOMAS SCHAEFER
LENEXA, KANSAS

Chairman Heinemann and Members of the Committee:

I am Thomas Schaefer, Assistant to the City Administrator for the City of Lenexa, located in Johnson County in the eastern part of the state. The City of Lenexa is a community of approximately 37,000 residents with a city labor force of some 300 full time employees.

On behalf of the Lenexa Governing Body, I am here to testify in opposition to House Bill 2454 which proposes to take away the local option of determining whether a local government should fall under the Public Employer-Employee Relations act. This bill directly contradicts the principle of "Home Rule" for cities that was constitutionally adopted by the citizens of this state in November of 1960. This proposed legislation represents another example of unwarranted interference in the affairs of local government and their ability to manage their own communities.

Currently, it is the choice of each and every locally elected governing body to decide if, in fact, their respective organization should choose to recognize employee associations and unions. In Lenexa, we make every effort to listen to and work with employees on all issues, regardless of what they may be. More and more, local units of government are being held accountable by the public for how we spend their tax dollars, and this represents a direction that would take away our abilities and any flexibility to deal with fiscal constraint. This action, in effect, will probably cost cities more by being forced to deal with employee associations no matter how large or small.

Finally, Kansas local governments have prided themselves on excellent relationships with their employees, thereby avoiding the problems other states throughout the country have experienced with labor unrest. There have been few visible problems of issues that could not be worked out by the local units of government and their employees. I urge this committee to defeat any effort to force local units of government into recognizing employee associations and unions.

I will try to answer any questions you might have. Thank you for your time.

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