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Jim Clark, Secretary

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**House Commerce, Labor and Economic Development Committee**

**Testimony in Support of HB 2391**

**Secretary Jim Clark, Department of Administration**

**March 9, 2015**

Good afternoon and thank you for this opportunity to testify in support of the human resources initiatives in House Bill 2391.

The measure that you have before you today is the work product of several months of discussion among Cabinet secretaries, Department of Administration officials and human resource staff across state agencies. The initiatives are designed to provide greater flexibility for state agencies to fill critical positions, to clarify eligibility of the shared leave program and to address the payment of longevity bonuses to state employees.

Central to providing greater flexibility to agencies in hiring and staffing are the provisions of this bill that would expand the authority with regard to agencies' authority to hire unclassified employees. This is not a new concept to state government and we have seen in recent years the movement from the classified ranks to unclassified in a variety of positions. The provisions in HB 2391 would definitively state that agency heads have the authority to determine which positions which should be in the unclassified service.

In addition, employees would have the ability to voluntarily leave their classified position and move to an unclassified position. No current employee would be forced to become unclassified. Let me repeat: this is purely a voluntary move for current employees.

We feel that giving agencies this flexibility will allow them to improve their hiring practices and fill critical vacancies in a timely manner when qualified candidates are present. It will also allow for positions to be tailored to the demands of the agency that can often be constrained by the classified system to the detriment of the agency's mission.

A second part of this bill would be to amend statutes regarding shared leave to define the circumstances under which employees can be eligible to receive donated time off. The proposed change would clarify that a condition must be "life-threatening" in order for an employee to be eligible to receive shared time. We feel this will get back to the original intent of the shared-leave program which was to offer peace of mind and relief to employees who are facing critical health issues.

The final change is in regard to the payment of longevity bonuses to state employees. The proposed language would require that the bonuses only be paid to qualified employees when there is an appropriation by the Legislature specifically for the bonuses. Agencies would not be required to pay the bonuses using other funds as has been the practice in recent years.

The benefit would be that agencies would no longer have to keep positions open, reduce other programs or delay other projects in order to fulfill an unfunded legislative mandate. Agencies would have those resources available to address critical staffing needs or further their mission to provide high quality services to taxpayers and other state agencies.

In total, we believe these initiatives as outlined in this bill, coupled with other steps being taken by the Department of Administration, will enhance our human resources policies and move the State of Kansas more in line with private sector practices. It will help to provide the necessary flexibility to state agencies to fill positions to satisfy their mission and be better stewards with taxpayer resources.

Thank you for your consideration of this measure and I would be pleased to answer any questions.

Jim Clark

Secretary, Department of Administration