

Testimony IN OPPOSITION to HB 2391

Before the House Committee on Commerce, Labor, and Economic Development

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March 19, 2015

Chairman Hutton and Members of the Committee:

Good morning. Thank you for the opportunity to speak to you today. My name is Sarah LaFrenz Falk, and I have worked for the State of Kansas and for the citizens of Kansas since 2006. Today I am speaking to you as a private citizen, and not as a representative of any state agency. HB 2391 makes several changes that harm state employees, and I would like to briefly address each of those changes.

**Shared Leave**

Limiting shared leave to only life-threatening conditions is an extremely poor decision for several reasons.

First off, the State of Kansas runs FMLA leave concurrently with paid leave. Therefore, employees must exhaust any store of paid vacation or sick leave first, before they can even apply for shared leave. This is an increasingly precarious position for any employee to be in, since current policy stance at many Agencies penalizes employees for using the leave they have earned, even when ill, though it has been approved by supervisors.

The penalizing of employees for utilizing their earned leave for dealing with health conditions is something I have witnessed personally and includes written disciplinary letters for using "too much leave" (though it was all approved by immediate supervisors and was not leave without pay) during a time when one employee was diagnosed with rheumatoid arthritis and requiring the same employee who was undergoing painful treatments to be at work no matter what their doctor said (with implied job loss if this was not complied with). The same utilization of leave by this employee has been included in their performance reviews, to mark said employee at a lower rating and was included as something the employee should be working to improve, even though the medical condition was out of their control completely. So shared leave was extremely important for this particular person to utilize, even though the condition was not "life threatening". They believe that it saved them from termination. I do, as well.

Secondly, many health conditions, though perhaps not immediately life-threatening, require time and numerous doctors' appointments to get dosages right and to deal with painful symptoms. A co-worker of mine has had ongoing issues with both their gall bladder as well as a degenerative disc in their back, which took many appointments to get medicine right, and caused that person much pain. As a result, that person's earned

leave was gone quickly and shared leave made it so that this person could take the time off necessary to become healthy again - and return to work.

Should an employee be at a low or zero balance because of a health issue, shared leave should be available to them regardless of if their life is imminently threatened. These people absolutely should not be worried about losing their job. Their health should be their number one concern, so they can come back to the job they care about.

### **Longevity Pay**

As most people are aware, a major challenge in any workplace is retaining trained, seasoned employees with experience on the job.

State employees are no different. Time on the job makes one better at their job, especially given the technical and complicated nature of many positions. Longevity pay is an excellent incentive to keep seasoned workers at their jobs, and one of the few incentives at all remaining in what can sometimes be a thankless environment. Losing that incentive will be a final straw for many long-term employees workers that are already frustrated with their employment current situations.

### **Importance of the classified system**

When I go to work each day, there are plenty of things I am concerned with. I am concerned about doing an excellent job every day, doing right by the opportunity to be there. I am concerned about answering the questions, concerns, and worries of my co-workers, constituents, industry, and consultants to the very best of my ability. I am concerned about working with regulations and statutes to make sure they are upheld correctly.

One thing I currently don't have to worry about is whether or not my job will still be mine based on political climate. I also don't have to be concerned that just because someone didn't like the fact that I did my job, rather than bend to an individual's will, that my employment would hinge on someone's personal opinion or complaint. If the classified system is removed, these kind of worries will be very real indeed. There will be no protection for employees just doing their jobs - it will be much too easy to fire at will and for no real justification.

Also, what's to keep a new leadership group from cleaning house every time someone new comes to power? Retention of people who know their jobs and do them well should be our number one priority. That will not be possible without a classified system.

In closing, I urge you to vote against this bill. It is so very important to each of us that you see here. I thank you very much for the opportunity to speak, and am happy to answer any questions you may have.