



1300 SW Topeka Blvd.
Topeka, KS 66612-1817
Phone 785-354-1174
FAX 785-235-3920

Rebecca.proctor@kaseunion.org

Testimony IN SUPPORT of HB 2325

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

Submitted by: Rebecca Proctor

Executive Director, Kansas Organization of State Employees (KASE)

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Chairman Hutton and Members of the Committee:

Thank you for allowing me to address you today. My name is Rebecca Proctor. I am a proud life-long Kansan, a labor and employee benefits attorney by trade, and the Executive Director of the Kansas Organization of State Employees (KASE). KASE is a public employee union representing over 8,000 executive branch employees in over 300 worksites across our state. There are KASE-covered employees in every single county and every single legislative district. On behalf of those employees, I encourage your support of HB 2325.

Some of you may be surprised to see KASE testify in favor of this bill. This bill comes courtesy of the American Legislative Exchange Council's (ALEC) model legislation library. My organization and I normally do not support ALEC bills...but this one is an exception. HB 2325 would open public employee bargaining sessions to the public, to the press, and to all of our members. That would be a very good thing for both our union and for the general public.

There is a widespread misconception that public employee unions negotiate back-room "sweetheart deals" for wages and benefits and that those deals unfairly burden the state budget. The fact is, how non-federal employees bargain and the subjects they may bargain are determined by state law...and these parameters vary widely from state to state. Under Kansas law, KASE and the employees it covers have the ability to discuss wages and benefits with the state. However, anything we and the state agree upon regarding wages and benefits is not binding. It is merely a recommendation made to you as a legislature. You as a legislature then consider these recommendations, just as you would consider any policy or budget recommendation, and determine whether to adopt the recommendations. Nothing regarding pay or benefits may be done in secret, or without your specific action.

Given this process, matters involving state employee pay and benefits are already subject to public comment and scrutiny. However, other issues of public concern that arise during negotiations are not.

When we go to the table with the state or its agencies, we are usually asked to agree to a set of ground rules. The ground rules are designed to keep details about our negotiation sessions inside the negotiation sessions. They generally prohibit us from talking to press and from releasing any specific details about what is proposed or discussed at the table, even to our membership. Often, the ground rules also prohibit us from having union members other than those on the bargaining team attend sessions as observers.

At the table, we discuss things such as hours of work and overtime, schedule changes, working conditions, workplace safety, and processes for remedying issues. These are all issues that should be of interest to the general public. For example, if there is an issue with equipment safety at KDOT, that issue can effect any citizen on a Kansas highway where the equipment is used. Lansing Correctional Facility sits right in the middle of Lansing, Kansas, mere blocks from an elementary school. Understaffing or insecure conditions at that facility impact the entire community. Rodent infestations at DCF buildings impact the health of not only the employees working in the buildings, but also the citizens (and their children) who receive services at those buildings.

These are the types of issues that inform and direct the proposals we bring to the bargaining table. When we make our proposals, we explain the concerns that motivated the proposal and how we believe our proposal addresses those concerns. When possible, we present research and data from other states to support our proposals. Because many Kansas state agencies have policies strictly limiting the type of information an employee may release to the press or general public, many of the issues and proposals we raise have never been discussed within the public forum. Opening meet and confer sessions allows for a more robust understanding and discussion of the very serious issues facing our public employees.

It is for these reasons we believe negotiations should be a transparent process, both for our members and for the general public, and we ask you to join KOSE in supporting HB 2325.