



**Testimony in Support of HB2576
Before House Commerce, Labor & Economic Development Committee**

**Mr. Daniel Murray, Kansas State Director
National Federation of Independent Business**

Thursday, February 11, 2016

On behalf of the National Federation of Independent Business (NFIB), thank you for the opportunity to submit testimony on HB2576. The NFIB is the state's leading small business advocacy organization representing the consensus views of over 4,200 small business owners across Kansas.

I am pleased to appear in strong support of HB2576. The bill provides that a local governmental unit may not establish, mandate, or otherwise require an employer to provide to an employee who is employed within the jurisdiction of the unit a scheduling policy that exceeds the requirements of federal or state law, rules, or regulations. First and foremost, HB2576 affirms that small employers' and their employees'—not the government—should be free to negotiate the benefits package and compensation that best meets their mutual needs. Further, the bill injects a measure of certainty for Kansas small businesses and ensures there is not a hodgepodge of devastating employer mandates adopted in cities across Kansas.

Nationwide, there have been efforts, some successful, to pass measures requiring "predictive scheduling" or "fair scheduling" in numerous cities and states, including: CA, CT, IL, IN, ME, MD, MA, MI, MN, NY, OR. Most of these bills require 14 to 21 days advanced written notice of an employee's work schedule as well as "predictability pay" that acts as compensation for any scheduling changes made within the scheduled window. If an employer were to call an employee to work unexpectedly, they would be mandated to pay the employee a premium, like overtime pay, for the schedule change.

These policies, which over 90% of NFIB/Kansas members polled oppose, are plain bad and we need to ensure they don't infect Kansas communities. Small business owners cannot anticipate their needs days in advance, especially those in industries like restaurants and construction that staff as projects are picked up and events are planned. Small employers already provide their employees with mutually beneficial scheduling arrangements that allow for consistency and reliability for both the worker and owner. Small business owners care about their staff. Passage of HB2576 confirms the Kansas legislature does not assume that employees are somehow being oppressed by business owners and shows that Topeka is clearing the way for our employers to create jobs, not mandate that they pay more for jobs.

Thank you and we urge the Committee to report HB2576 favorable for passage.