

Testimony IN OPPOSITION to SB 179
Before the Senate Commerce Committee
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March 11, 2015

Chairperson Lynn and Members of the Committee

My name is Rick Wiley, I am a 10 year employee of KDOT District 4 and a KOSE union steward since 2008. I am not a representative of any state agency, and am testifying as a private citizen. I am grateful for the opportunity to share my concerns with you here today.

We have a fundamental need to have a say in our working conditions and to advocate for safe, respectful workplaces. Over the years I have filed multiple overtime grievances, as KDOT believes our personal time has no value. I know of a supervisor who started his new position with the intent of clearing out his shop of existing employees and replacing them with employees of his own choosing, and accomplishing it with the blessing of his superiors.

I represented an employee at an Accident Review Committee investigation hearing where facts were distorted and supervisor opinions were labeled as facts. Without employee rights and representation this employee would have been unjustly disciplined. I have grieved the routine cancellation of mandatory Safety Committee meetings because management didn't agree with the agenda items submitted by employee committee members. These items included truck brake air leaks, air conditioning not working on tractors with glass cabs, a windshield so pitted and distorted it was difficult to see through, gauges and warning alarms not working, front end alignment issues with excessive tire wear. All of these safety issues were properly reported, all ignored, until grieved.

I personally have suffered heat stress while shoveling 300 degree asphalt on a 107 degree day, being worked through our morning and afternoon breaks until the entire crew was about to drop. The safety meeting we had that very morning before work began was over heat stress/heat stroke and recommended frequent breaks and hydration.

Last summer while mowing ditches a fist size rock was thrown through the back glass striking me on the side of my head. With blood running down my face and dripping off my chin I was taken back to our shop and left alone while a co-worker was taken back to retrieve the poor injured tractor because of the threat of rain with no back glass. I was taken to the emergency room an hour later after receiving permission from the area office.

I have spent hours standing in extreme heat and cold flagging fatality accidents for law enforcement with little or no breaks or relief. I remove hazards from the roadways that range from car parts, to unsecured loads, to way past dead animals, all while dodging traffic oblivious to our presence. We try to the best of our ability and with available resources to insure the safe travel of all motorist on our roadways.

On February 28th we had two trucks struck in the same shift while plowing snow, by impatient drivers traveling to fast and not paying attention. One of those trucks was damaged badly enough that we won't see it back for several months. Fortunately the our driver wasn't injured.

I have a co-worker handicapped by arthritis afraid he could be targeted for dismissal before he can retire in 1-2 years, and legislation of this nature seems to confirm his fears. Another just found out he will be a first time father this year. He has been denied Longevity Pay already, and now his very job could be threatened.

I started working for KDOT after being forced to quit farming in 2004, I was told I wouldn't get rich but will have insurance and benefits, all of which have been under attack ever since. My wife went back to school and is in her 4th year of teaching. With student loans a house payment, and now this proposed bill, my future looks bleak. We are not just numbers on a spreadsheet. We are parents, caring for parents, mortgage holders, taxpayers, community leaders, and voters. We have hopes and dreams for ourselves and our children, and now some serious fears. We are the greatest asset this state has, WE DO WORK THAT MATTERS.

Without a voice in our terms and conditions of employment, protection from arbitrary suspension, demotion, or dismissal, state employees will suffer, and so will the people we serve. I urge you to oppose Senate Bill 179 for the safety and wellbeing of state employees. Thank you for your time, and I would be happy to answer any questions you may have.