

Testimony IN OPPOSITION to SB 179  
Before the Senate Committee on Commerce  
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Chairperson Lynn and Members of the Committee:

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 her citizens for nine years. I am speaking to you today as a private citizen, not as a representative of any agency or of any agency view.

The Right to Bargain in the Workplace - Why Does it Matter?

The right to bargain in the workplace for employee rights and working conditions is one that is extremely important and deeply ingrained in American history. This action historically has ensured that each one of us has time off to enjoy with our families and has kept our working conditions safe. So, regardless of where you work now, if you enjoyed your weekend, thank a Union. And if your working conditions were safe, that thanks would go to a Union as well.

Perhaps one might think, as many people do, why on earth would a employee of the State of Kansas have any need of a Union, or bargaining rights via the Union in their work place? Aren't employees of the state working cushy jobs, in sparkling offices, counting the days until their taxpayer-funded retirement, all while producing next to nothing? Isn't the Union just giving a bunch of whiners about nothing an avenue to complain?

The answer to this is unequivocally a resounding NO.

Just because benefits and employee rights, if you will, are written in a policy or an employee handbook absolutely does not mean they are being administered fairly, or even administered at all.

As a steward for the Kansas Organization Of State Employees, I am charged with administering the Memorandum of Agreement, the document which lays out how Union-covered employees will interact and be treated by the Employer, with regards to their benefits and Employer policies. To that end, I represent employees when they have disagreements with the Employer on the conditions under which they work.

What kind of disagreements might those be, one would ask. These state workers jobs are simple, aren't they? When would there ever be a disagreement?

Here is a short list of the grievances and employee issues I have been involved with in the last year:

-The 22-year employee who was accused of stealing scrap metal and the money collected from scrap metal, because that person's Agency determined that they wanted another person to haul and collect the scrap as well as use those monies for a different allocation, but didn't inform him, and then dragged his good name and reputation through the mud in doing so.

-The young working mother, who had a small child with ongoing health issues (though they were not deemed life-threatening ) who was singled out for using "too much leave without a demonstrated need for taking it". She was written up with a step one disciplinary letter stating she was a leave abuser and that any leave ever taken would have to have a doctor's note. Unless, of course, it was vacation - and in that case she really shouldn't be using that anyway. Never had she taken leave without pay, and all of the leave used was approved by supervisors.

-The 78-year old career civil servant, who had done administrative assistant work for a politically charged regulatory section of a Bureau for many years, but was screamed at and harassed repeatedly for being "too old to do her job" and written up for taking her leave, even though she had accrued nearly a year of both vacation and sick time.

-The hardworking and dedicated 20 year civil service veteran who took vacation after some very serious health and family issues, only to return from that vacation to be told the vacation wasn't requested correctly based on a 3-week prior request timeline of which no one was aware, and now that they were returned from the vacation, they were going to be terminated.

All of these people needed help in talking to their employer about what was happening to them, and why, and how both parties could come to an agreement moving forward on how to fix the problem.

And the above examples do not begin to touch the myriad of questions I get on a daily basis - saying here is the situation.....what do I do? And those are from everyone, not just Union covered employees. Because at the end of the day, we are all civil servants. We are one.

If the MOA is gutted, making most decision making ability to rest with only one party, and giving no real recourse of action to the other, the employee suffers greatly. And someone who is suffering, and worrying, and terrified about losing the job they care about - that person is unable to do their best work.

Often I hear from other people how much they hate Unions and their binding documents, such as the MOA that we are discussing today. How Unions make it hard

for Human Resources, an Agency, or even render outside private sector business helpless in making decisions and implementing practices at the workplace.

To those statements, I would say this: That only applies if one is making poor decisions. Only if one make decisions that are negative and adverse for the employee do you have something to hide, something that perhaps one is trying to avoid, or skirt the issue completely. Instead, we use the MOA to move forward in a way that is beneficial to both.

In reality, the MOA is a set of tools for both the employee and the employer to make the workplace the best place it can be. Never does the MOA impede the Employer from directing work or keep with their mission - it only provides that the entity isn't allowed to break the backs of the employee in the process. And in order to achieve the mission of an Agency, don't we need the employees? Aren't they the most important piece of that tapestry?

As I stand here before you, it isn't just me I represent. I am a tiny part. I stand here for the people you see in this room today, who will or already have presented their testimony to you about what this bill actually means to the people it deeply affects. And I stand for the hundreds of people you don't see, who are currently at their desks, or on their phones, or taking samples, or fixing machinery or grading a road, so that the people of our great state can go about their lives.

In closing, I urge you to vote against this bill. It means so much more than what can be written on a piece of paper. Thank you very much for your time, and I am happy to answer any questions you have.