

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 with you today. My name is Derrick Baxter and I have worked for the Department of Corrections for the last two years. Prior to that, I worked for a different state agency for six years, giving me a total of eight years as a state employee. I speak to you today as a private citizen and not as a representative of any state agency. I ask you to join me in opposing SB 179.

Like many of the "reforms" being proposed this year, the goal of this bill seems to be making it easier for management to do whatever they want...without any consideration for the employees. At my workplace, I have a very positive relationship with management. We are able to discuss and resolve issues. However, it took some work to get here. At my facility one of the biggest issues is what we call forced overtime. This is when an employee finds out, at or near the end of shift, that he or she will not be going off duty, but will instead have to stay and work additional hours. This is a huge issue, both for management and employees. Management has to have sufficient coverage, but employees have responsibilities outside of work. We also need time to rest.

Some of our employees were being held over for full extra shifts, sixteen consecutive hours working in a correctional facility. Inmates are not stupid. They know how long we've been on duty. It's very difficult for us to stay sharp and do our jobs appropriately when we have been on duty that long. It makes us vulnerable and increases our risk of injury. Under the law as it exists now, hours of work and overtime are subject to bargaining. Our contract states we cannot be required to work more than twelve hours in a twenty-four hour period. So, we filed grievances regarding the requirement that we work for sixteen hours. We also used our right to bargain over hours of work and overtime to negotiate a new, facility-specific agreement to cover how overtime is assigned. That agreement was implemented on February 1, 2015.

Was it easy? No. The easy thing to do was just to hold officers over. The thing to remember is the easy way is not always the right way. Our new policies are better for everyone. Better for management, better for staff, better for the public we serve because we reduced the number of tired, burned-out officers on duty. If SB 179 had been in effect, none of these positive changes would have happened. We would simply have continued with officers working sixteen hours.

Our ability to bargain, and to grieve, allows us to work with management to improve our work places and our working conditions. Please allow this positive work to continue by voting against SB 179. Thank you and I will answer any questions you have.