

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 Irene Soto and I am a state employee. I am also a board member of the Kansas Organization of State Employees (KOSE), representing positions across the State covered by Unit 3. 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.

My agency has seen a great deal of change over the past several years. We have seen multiple reorganizations and have had some of our primary functions privatized. As a result, many of us have been transferred to new functions or have new supervisors. The protections bargained under our KOSE Memorandum of Agreement have been invaluable during this period. One of my co-workers is a top performer at our agency. That is not just my opinion, it is documented by her numbers. Under the metrics set out to measure our performance, she rates "Exceptional." However, on her performance appraisal she was not given an "Exceptional" rating...she received only an "Exceeds Expectations."

My co-worker takes great pride in being an Exceptional performer, so she filed a grievance over not receiving an Exceptional rating. Again, there was no doubt she was an exceptional performer. Her metrics were clear. When she participated in the grievance meetings with various levels of management, no one could explain why she had not received an Exceptional rating.

After utilizing multiple steps of the grievance procedure, her rating was changed to Exceptional. Had SB 179 been in effect, she never would have been able to successfully challenge her rating. You may ask why it matters...what is the difference between Exceptional and Exceeds Expectations? In a world where budgets are tight, and the state is moving towards "performance based" systems, it is important employees' performance be accurately rated. If an employee is incorrectly rated, and cannot challenge that rating, the employee could be unfairly penalized. Additionally, when a high-performing employee is unfairly rated down, it takes away the incentive to actually be a high-performing employee.

This is just one example of why it is important that workers have a voice and that they are able to grieve actions which are incorrect and inequitable. There are many, many more. Please don't silence our voices...vote against SB 179. Thank you.