

Approved

Thomas F. Walker

Date

3-2-90

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Representative Thomas F. Walker at
Chairperson

9:05 a.m./p.m. on Monday, February 26, 1990 in room 522-S of the Capitol.

All members were present except:

Representative Turnbaugh - Excused

Committee staff present:

Avis Swartzman - Revisor
Carolyn Rampey - Legislative Research
Jackie Breymeyer - Committee Secretary

Conferees appearing before the committee:

Representative Anthony Hensley
Representative Arthur Douville
Representative Bill Reardon
Frank Taff, Topeka Attorney
Wayne Maichel - Kansas AFL-CIO
Ray Siehndel, Secretary, Department of Human Resources

Chairman Walker called the meeting to order and stated the minutes would stand approved at the end of the meeting if there were no corrections or additions.

The first item on the agenda was HB 2617 - human resources; unemployment insurance services; employment and training services

Representative Hensley, bill sponsor, appeared first on the bill. He distributed an editorial from the Topeka Capital-Journal entitled, "Making the State Do Its Job", that was dated Saturday, November 18, 1989. He stated the reason for the bill was that last fall or early winter the secretary of human resources had issued a directive in the form of a memorandum dated 9/1/89 to all human resources components that from then on there would be uniform hours. These hours would be 8:00 a.m. until noon, closed noon to 1:00 p.m., open 1:00 p.m. until 4:00 p.m. to the public, and then closed from 4:00 p.m. to 5:00 p.m. to process paperwork, return phone calls, etc. The only exception is an office in Anthony, Kansas. Mr. Hensley thought those hours were 9:00 a.m. to noon and 1:00 p.m. until 3:00 p.m. Monday through Thursday. Mr. Hensley stated the purpose of the memorandum was to establish uniform office hours. When he was informed of this he had concerns as to why the Department of Human Resources would close from noon until 1:00 p.m. He wrote a letter to Secretary Siehndel, basically asking him to explain to him why the directive was issued. He asked the Secretary to rescind his action. As the Secretary would not, Representative Hensley's opinion was that the legislature should become involved. He does not believe this is serving the people. He thinks it is ridiculous the legislature is needed to make a state agency serve the public. In as much as the directive has not been changed, HB 2617 is needed to allow the employment and training office to be in continuous operation and serve the public. Representative Hensley stated that he had contact with some of the employees of the agency and they were happy with the previous hours the agency had before the directive was issued. Staggered lunch hours would be advantageous since closing over the noon hour is very inconvenient for many people. It was the policy to "clear out" people over the noon hour, but now the people are allowed to stay during cold weather.

One of the committee members asked Representative Hensley if he had seen the fiscal note. It is very high. Representative Hensley replied that maybe that was the reason for the directive. Over 90% of the Department's money comes from the federal government. He would have no problem with noon to 1:00 p.m. hours. He was told by some employees that the 4:00 p.m. to 5:00 p.m. hour is sometimes used to drink coffee and wait around to go home. Representative Hensley's editorial was labeled (Attachment 1)

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION,
room 522-S, Statehouse, at 9:05 a.m./p.m. on Monday, February 26, 1990

It was asked what these people were supposed to be doing between 4:00 p.m. and 5:00 p.m. The reply was that these people do paper work, make phone calls and have staff meetings.

Representative Arthur Douville appeared next on the bill. He said that what we are talking about is the employment office and job security office, people looking for jobs and filling out applications for unemployment.

Representative Douville felt it was his duty as the Chairman of Labor and Industry to see what is going on in that agency and see if the people were being served. He told of the office he visited. It is a long office with one section employment security and one section for jobs. Representative Douville was "thrown out" of the office. He said he was thrown out in a nice way because they were closed for lunch and "that was the rule". The office was open for many years but now there is a new rule. He said that the agency thought the people could be educated to come in at a different time. Representative Douville said that some people don't have cars and have to depend on others; many do not have the money for a sandwich while waiting through the lunch hour. Representative Douville went to the agency and asked them to try a small program in the larger cities such as Wichita, and Johnson and Wyandotte Counties and possibly Topeka to try to stagger the hours and open during the lunch hour. He said the basic thing he saw was that the agency was not going to change a thing; they were going to play hardball. He said that the administration is the one that will have to be educated, not the people.

Representative Bill Reardon spoke next to the bill. He told of how his daughter had worked at this agency. He stated he had learned a lot. Public transportation is very limited where this office is. It is in a good location because it is close to the inner city. What he saw was people waiting for very long periods of time for buses. He also stated that this has been some years ago. He has no axe to grind. He has no idea how many people are served out of the office but it's a very busy place. He wishes all the legislature would spend some time in an office of that type.

One of the members commented that what had been said so far is very true. These people cannot afford a sandwich or phone call. Unfortunately, not many of us are aware of this.

Representative Reardon said his daughter had served under two administrations and it was one of his child's greatest experiences. These are people who want to work and can't find work. It makes one begin to feel different about that segment of society. A real compassion is felt for these people.

Frank Taff, Topeka attorney spoke next. He used to be in the type of situation that is being discussed. He told the committee that they played an important role in government. They can lend a hand and defend the dignity of the unemployed people in the state. Many persons don't know how it is if they've never been to an unemployment office as a client or if they've never had to stand by the mailbox and wait for a check that was supposed to come yesterday so the rent can be paid.

Mr. Taff says he has a successful law practice now. Many of his clients are the working poor and unemployed from time to time. What brought Mr. Taff to the committee was what he described as a "bad attitude" by the agency in thinking that these restricted hours will assist men and women to learn self discipline and as a result of this experience will be better employees. Some unemployed people are seen as morally defective, lazy louts and malingerers.

To have a job in our American society means that you are a productive citizen. This is the first and most important element of self esteem. No one is happy to be unemployed and no one is happy to be living on unemployment. The midwest is geared to 8 to 5 hours. Mr. Taff closed by saying he hates to see another law on the books-fewer laws Page 2 of 4 are needed, but this is important.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION

room 522-S, Statehouse, at 9:05 a.m./p.m. on Monday, February 26, 1990

Wayne Maichel, Kansas AFL-CIO spoke next to the bill. He said that he would not go into the bill too deeply since it had already been discussed extensively. He mentioned the editorial that had been distributed and said that it was the noontime that was the focal point of the bill.

Secretary Siehndel appeared on the bill. He distributed a letter he had drafted to Senator Feleciano. (Attachment 2) He said it had been interesting listening to all of the reasons the agency had done what it had. He wanted to set the record straight on this particular action. Funding was one of the main elements of concern. He also mentioned calling one of the offices and the phone had rung several times. It was explained to him by the staff of this office that the office had gone into the lunch hour phase, when the efficiency of an office takes a tremendous drop. He explained about the availability of service. When an applicant comes in, he is asked to take a seat or number. Initial papers can be filled out, but in many cases the particular person cannot be handled until 1:30. This is because the person who handles that particular phase of the processing is not available until 1:30. He said that instead of treating these people like we are accused of, we inform them that they have choices--they can sit for a great length of time or tell them up front they will not get service until after the lunch hour. These people can then run errands, eat lunch or whatever. We want to treat these people like they are the ones who have choices in this world.

The second item of what is going on in the office was discussed. Applications are being taken. Since these applications involve multiple processes, someone with the skills will need to handle these cases. Initially the people can be handled, but if the next phase person is out to lunch, then persons have to wait a long time.

With reference to lines, Secretary Siehndel said there are tremendous lines on Monday at 8:00 a.m.; Tuesday, lesser lines; Wednesday, lesser lines; Thursday and Friday, possible no lines at all. The new hours have given a couple of things to the staff - rejuvenation and elimination of burnout. This has resulted in better service to clients and efficient running of the office.

In order to receive federal funding, a state-wide system has to be in operation - not just the large metro areas. There were problems with the implementation of this directive. At first the managers didn't like it. In regard to the long lines outside, Secretary Siehndel attributed these lines to smokers. Many arrangements are made for people with special problems. Arrangements are made to meet at the door. There is one employer in Wyandotte County who wants to interview at 7:30 a.m. Sometimes it is late in the evening when people receive service. Three hundred fourteen thousand individuals were served last year.

Secretary Siehndel said that his office has not received phone calls or letters; neither has the governor's office. Complaints are received on just about everything else, but this issue does not seem to be one of them. This is why he thinks the policy is a good one. The managers have little to no complaints.

The Secretary was asked by one of the committee members why can't one person handle the total processing problem. The Secretary replied that cross training has begun. It is a difficult problem because of civil service. Because of the system problems can be handled horizontally, but not vertically. In steps 1-2-3-4, clerical can handle the first steps, but then it gets more detailed and needs judicial type determination.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION,

room 522-S, Statehouse, at 9:05 a.m./p.m. on Monday, February 26, 1990

Comments were made about staggered lunch hours, the work not being proportional to the number of people and not getting timely service in two and one-half hours.

One of the members asked for a different fiscal note to be provided. It was not seen how it would cost \$1,305,096 plus an additional 35.6 full time employees to do what was being done prior to the directive.

Another member expressed the fact that the agency's business is service. Banks have had to provide more service, not less - instead of taking away time we should be providing more time.

Secretary Siehndel reiterated that by closing during the lunch hour they are simply giving these people options - they can go do something else. They are in control of their lives.

A member asked if the managers got the impression they were supposed to herd people out and shut the doors. The Secretary replied there was a difference of interpretation.

A member asked for statistics on staff hours per client served before the change and after the change. This would be a breakdown of how many hours put in and how many people served; how much time you are spending with clients who are walking through the door.

After several more comments were made by members, the Chairman declared the hearing closed on HB 2617.

The committee turned to HB 2973 - employment security law.

Representative Kerry Patrick directed the committee's attention to page 2, lines 40-43. This addresses the concern that Representative Patrick has with small business not having representation on the council. He stated small business is the state's largest employer. Another change Representative Patrick would like to see is "representative" of small business changed to "owner" of small business. He went into the council makeup and questioned why certain persons or entities are represented.

Several questions and comments were asked of Representative Patrick regarding bill wording, representation and council makeup.

Jim Yonally, National Federation of Independent Business, addressed the bill and distributed an attachment entitled "Kansas Employment Security Advisory Council" (Amended December 18, 1988)#3. The attachment contained Employee members, employer members, and public members. Mr. Yonally said he was supportive of the intent of the bill. There are good people on the council. Persons who have to meet payrolls and punch timeclocks would add to the council. (Attachment 3)

Several questions were asked concerning council membership and makeup. It seemed like an unusual makeup to some of the members. One member had a Missouri address, but it was found that this individual does live in Kansas, but does work in Missouri. Members commented that this makeup is unlike that of other boards or councils. It was suggested at this point in time a consideration be given to have a resolution drafted that would encourage the Secretary to give broader representation to the council. After several further comments, the Chairman closed the hearing on HB 2973.

The Chairman told those conferees waiting to testify on HB 3029 that they would be notified when the bill would be placed on the agenda. The minutes were approved and the meeting adjourned at 10:25.

ANTHONY HENSLEY
 REPRESENTATIVE, FIFTY EIGHTH DISTRICT
 SHAWNEE COUNTY
 2226 VIRGINIA AVENUE
 TOPEKA, KANSAS 66605-1357



TOPEKA

HOUSE OF
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS
 MEMBER APPROPRIATIONS
 EDUCATION
 LABOR AND INDUSTRY
 LEGISLATIVE, JUDICIAL AND
 CONGRESSIONAL APPORTIONMENT

Opinion

4-A Saturday, November 18, 1989

In God We Trust

Making the state do its job

ATopeka legislator plans to introduce legislation next session to force the state's employment agency to stay open during regular hours rather than shutting down for two hours each day.

The practice now is to close offices from noon to 1 p.m. and from 4 to 5 p.m. each day. It is based on a directive from Secretary of Human Resources Ray Siehndel.

Rep. Anthony Hensley, D-Topeka, announced plans to prefile a bill that would require the offices to be open from 8 a.m. to 5 p.m. each day.

Hensley also sent a letter to Siehndel asking him to change the policy, but Siehndel has said he will not rescind his directive.

The 34 offices located across the state serve Kansans who are out of work and looking for jobs. They also are the place unemployed Kansans go to file unemployment insurance claims. And some offices provide job counseling and aptitude assessment.

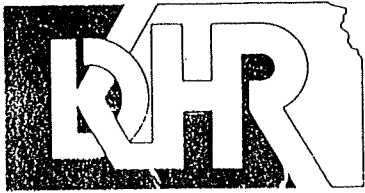
Those are important services, and they should be convenient for the people who need them. Legislators from Wichita and Kansas City reported incidents where people who were being served had to leave the offices, supposedly to come back later, because the office had to shut down for the noon hour.

There is no excuse or justification for that treatment.

Only a government agency, which is the sole provider of the service involved, would have the audacity even to consider such a policy. Private business learned long ago that it had to provide convenient service or it would lose customers. That's why banks keep extending their hours of service, instead of cutting back.

It is ridiculous that legislation is needed to make a state agency serve the public. But that in essence is what this bill is all about. Unless the appointed head of the department changes his mind, the elected Legislature will have to act.

Attachment 1
H. O.
7/26/90



OFFICE OF THE SECRETARY

401 S.W. Topeka Boulevard, Topeka, Kansas 66603-3182
913-296-7474

Mike Hayden, Governor

Ray D. Siehndel, Secretary

November 14, 1989

The Honorable Paul Feleciano
Senator
815 Barbara
Wichita, Kansas 67217

Dear Senator Feleciano:

I apologize for the delay in answering your letter dated October 12 but I wanted to personally contact some of the local office managers and area supervisors throughout the state to assure myself that I had not overlooked any possible problems which might occur due to the new office hours.

Since the new hours went into effect October 1st I have visited the Wichita DHR Employment and Training Office, including the office manager and area supervisor on numerous occasions. They have assured me as well as other managers throughout the state that the new hours are helping to provide "better" service for our clients.

Please let me clarify a few points in your letter. 1) Various local offices, including the Wichita office, have been closed from 4:00 to 5:00 for a number of years and we have not received complaints regarding this issue. This one hour time period helps our employees process paperwork and prepare for the next day. 2) It was made very clear in the directive that claimants and job seekers who have special needs or circumstances can make arrangements in advance to be serviced over the lunch hour or from 4:00 to 5:00. 3) The office hours were intentionally put into effect in October so job seekers and Unemployment Insurance claimants could become familiar with the hours prior to the increase claim load created by inclement weather. 4) The reception areas are to be left open over the lunch hour and people are informed that they may wait in the reception area over the lunch hour.

The effect on the client or job seeker was the main consideration for changing the office hours. It is important to remember that the taking of the claim or the filling out of an application is only a small part of providing good service to the

*Attachment # 2
b.o. 2/26/90*

citizens of Kansas. The ability to make a timely payment or job placement is dependent upon a large number of factors including time to process the claim and the necessary fact finding activities that are conducted when the client is not present.

The idea that keeping the office hours open to the public for an additional ten hours a week will improve the ultimate service provided to the Kansas citizens is somewhat questionable. The idea of open office hours is kind of like a funnel whereby a large number of people may come in at the beginning of the day but the bottleneck occurs when employees have to arrange their lunch hours over a period of two and one-half hours thereby diminishing the service to the claimants and job seekers. The diminished service causes the job seekers and claimants to spend an extraordinary amount of time in the reception area waiting for service. The new office hours are more dignified and humanitarian in allowing individuals the freedom to conduct other activities and return to the Employment and Training Office when service can be provided.

The local Wichita Employment and Training Office has traditionally scheduled job seekers in for orientation and testing, thereby causing very little change or problem with that particular function. The Unemployment Insurance Office now handles claimants on a first-come, first-serve basis until it appears that the morning workload has been satisfied. The claimants that appear after that time are given a number and instructed that the office will not be processing claims over the lunch hour and that they may return at 1:00 p.m. for service or wait in the reception area. To date, there have been no complaints to the office manager or area supervisor about this process and, in fact, we have had a number of positive comments.

The decision to close the office was coordinated with other state agencies and with the input from our employer community as well as staff, job seekers and UI claimants. The decision to close the office was basically reached to make the offices more efficient when open to the public. The claimants and job seekers are treated with more dignity if they have control of their time by knowing how to schedule around the activity and not be made to wait for long hours while staff is at lunch. It is also advantageous to the job seeker and claimant in that we are able to get the information into the computer and begin processing the claim.

It is important to note that as we move into the busier UI claimant season that information will be taken regarding the office hours to make sure our offices are more efficient and effective. The area supervisors are well aware that if problems arise due to the change in hours, they are to contact me so we can discuss finding a solution to the problem.

The Honorable Paul Feleciano
November 14, 1989
Page three

In addition, Congress has failed to pass its appropriations legislation and the lack of TJTC funding has severely curtailed the amount of money in the operations budget for the Employment and Training Offices. However, the new office hours demonstrates the ability of DHR to provide better service through effective and efficient management.

If you have any other questions on this matter, I will be happy to meet with you or your colleagues to discuss specific problems that have been brought to your attention.

Sincerely,



Ray D. Stehndel
Secretary of Human Resources

RDS:jlr

Kansas Employment Security Advisory Council
(Amended December 18, 1988)

EMPLOYEE MEMBERS

Jim DeHoff
Executive Secretary
Kansas AFL-CIO
110 West Sixth Street
P. O. Box 1455
Topeka, KS 66601
(913) 357-0396

Wayne Maichel
Kansas AFL-CIO
110 West Sixth Street
P. O. Box 1455
Topeka, KS 66601
(913) 234-0307

Jim Hastings
Iron Workers Local # 10
1231 NW Eugene
Box 8129
Topeka, KS 66608
(913) 233-4027

Debbie Snow
President
Communications Workers of America
Local # 6401
938 NW Wabash
Topeka, KS 66616
Telephone Number n/a

EMPLOYER MEMBERS

Terry Leatherman, Executive Director
Kansas Industrial Council
Kansas Chamber of Commerce & Industry
500 Bank IV Tower
Topeka, KS 66603
(913) 357-6321

Rob Hodges
Executive Vice-President
Kansas Telecommunications Association
700 SW Jackson - Room 704
Topeka, KS 66603
(913) 357-0396

Tom Slattery
Executive Vice-President
Associated General Contractors
200 West 33rd
Topeka, KS 66611
(913) 266-4015

Dan C. McClenny
1009 Congress Street
Emporia, KS 66801
(316) 342-0363

PUBLIC MEMBERS

Dr. Jack McCullick
Professor, Department of Economics
Fort Hays State University
Hays, KS 57601
(913) 628-5339

Joseph F. Singer
Professor of Business Operations & Analysis
Henry W. Bloch School of Business
University of Missouri at Kansas City

Elinor Schroeder
Professor of Law
School of Law
University of Kansas
Lawrence, KS 66045
(913) 864-4550

Richard E. Olson
Professor of Business & Economics
School of Business

Attachment # 3
A.O. 2/26/90