

MINUTES OF THE House COMMITTEE ON Labor and Industry

The meeting was called to order by Representative Anthony Hensley  
Chairperson

9:06 a.m./~~p.m.~~ on January 23, 1992 in room 526-S of the Capitol

All members were present except:

Representative Carmody - excused  
Representative Everhart - excused

Committee staff present:

Jim Wilson, Revisor of Statutes  
Jerry Donaldson, Principal Analyst

Conferees appearing before the committee:

Joe Dick, Sec., Kansas Department of Human Resources  
Ann Peterson, Special Asst. to the Secretary  
Katie Krider, Dir. Div. of Employment & Training  
Armand Corpolongo, Dir. Job Training  
Don Bruner, Dir., Div. of Labor-Management Relations & Employment Standards  
Bill Morrissey, Acting Dir., Div. of Workers' Compensation  
Bob Molander, Asst. Sec.  
Bill Layes, Chief of Labor Market Information Services  
Sid Snider, Chief of Policy, Planning and Analysis  
Bruce Kent, Chief Legal Counsel  
Claude Lee, Chief of Appeals  
Bob Stacks, Dir., Div. of Employment Security  
Bill Clawson, Chief of Benefits  
Paul Bicknell, Chief of Contributions

The meeting was called to order at 9:06 a.m., by the chairman, Rep. Anthony Hensley.

Chairman Hensley stated that the purpose of the meeting was to hear a staff overview of the various divisions with the Kansas Department of Human Resources. He introduced Joe Dick, Secretary of the Department.

Mr. Dick expressed his appreciation for having the opportunity to introduce his staff, who would provide the committee information concerning their specific duties within the Department. He introduced Ann Peterson, Special Assistant to the Secretary, and he passed out an organizational chart of the Department (attachment #1).

Secretary Dick then introduced Katie Krider, Director, Division of Employment and Training. Ms. Krider explained the various programs administered by her division. She introduced Armand Corpolongo, Director of Job Training, and answered questions from committee members.

Secretary Dick introduced Don Bruner, Director, Division of Labor-Management Relations and Employment Standards. Mr. Bruner presented information on how his division operates and answered questions. Chairman Hensley then announced that it was his intention to ask Mr. Bruner to return to the committee next week to make a presentation on safety in the workplace.

Secretary Dick then introduced Bill Morrissey, acting Director, Division of Workers' Compensation. Mr. Morrissey gave an overview of the division and answered questions. The chairman announced that Mr. Morrissey would also return to the committee next week to provide the committee with information regarding the proposed medical fee schedule.

The next conferee was Bob Molander, Assistant Secretary. Mr. Molander explained that he was in charge of management services for the Department. He introduced Bill Layes, Chief of Labor Market Information Services, and Sid Snider, Chief of Policy, Planning and Analysis.

Bruce Kent, Chief Legal Counsel for the Department, presented a handout to the committee explaining the functions of his office (attachment #2). Mr. Kent then answered questions from committee members.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Labor and Industry,

room 526-S, Statehouse, at 9:06 a.m./~~p.m.~~ on January 23, 1992

Secretary Dick introduced Claude Lee, Chief of Appeals, who spoke to various questions raised by committee members regarding abuses in the area of unemployment compensation. Mr. Lee informed the committee that the Employment Security Advisory Council is reviewing the issue of what constitutes "misconduct" for denying a claimant unemployment compensation.

Bob Stacks, Director, Division of Employment Security, handed out information regarding the programs administered by his division (attachments #3, #4 and #5). He also introduced Bill Clawson, Chief of Benefits, and Paul Bicknell, Chief of Contributions, who explained several recommendations for amendments to the Kansas Employment Security law. Chairman Hensley announced that these recommendations would be introduced as legislation by the Senate committee that afternoon.

Secretary Dick answered further questions from members of the committee.

The meeting was adjourned at 10:20 a.m.

GUEST LIST

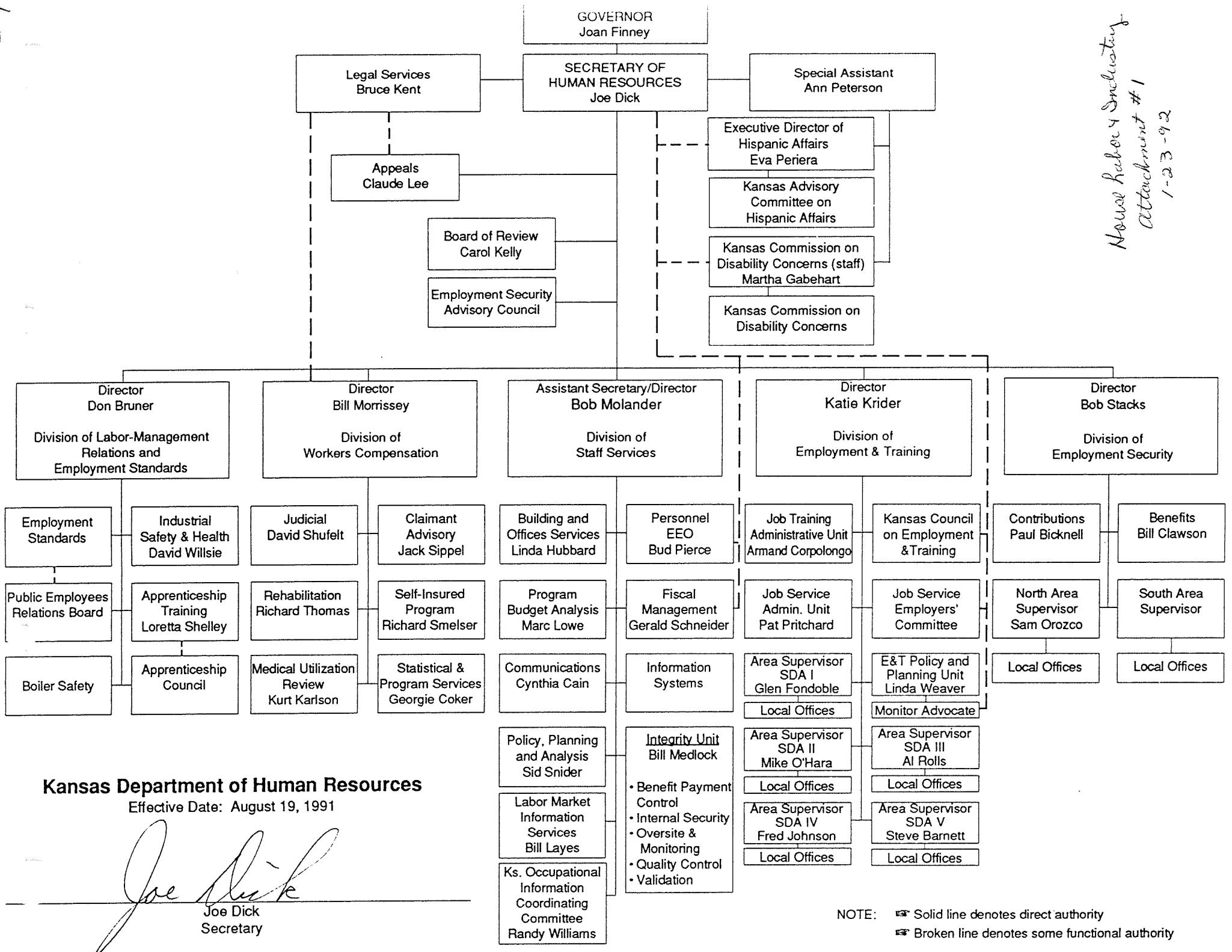
COMMITTEE: House Labor and Industry

DATE: January 23, 1992

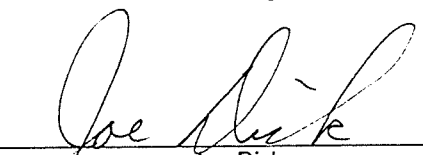
NAME	ADDRESS	COMPANY/ORGANIZATION
Bob Jacks	401 Topoka KDHR	KDHR
Bob Molander	401 Topoka KDHR	"
Claude Lee	401 Topoka BLAB	KDHR
Sid Spider	401 Topoka	KDHR
Ann C Peterson	401 Topoka	KDHR
<del>Kate Spider</del>	"	KDHR
Ann C Peterson	401 Topoka	KDHR
Bill Payne	401 Topoka	"
Paul Bicknell	401 Topoka	KDHR
Bill Clawson	"	"
Don Bruner	"	"
Pat Vitchana	"	"
Bruce Kent	"	"
Joe Dick	"	"
Terry Leatherman	KCCI	Topoka
Bill Morrissey	Topoka	KDHR/Work Camp
Wayne Mauck	Top	K.S. AFL-CIO
Craig Grant	Topoka	K-NEA
William Mauck	"	KRA
Harry D Helser	Wichita	K.S. AFL-CIO



#1

Novel Rubber & Sundry  
Attachment #1  
1-23-92



**Kansas Department of Human Resources**  
Effective Date: August 19, 1991

  
Joe Dick  
Secretary

NOTE:  Solid line denotes direct authority  
 Broken line denotes some functional authority

DEPARTMENT OF HUMAN RESOURCES

L e g a l   S e r v i c e s

Legal Services is a subprogram headed by the Chief Counsel who reports to the Secretary of Human Resources and takes appropriate actions to resolve legal matters, including the rendering of formal and informal opinions; investigation and resolution of internal grievances; and representation of the Department before the Civil Service Board, at administrative hearings, in judicial reviews of administrative orders, and in any other trials and appellate hearings in state and federal courts.

In matters related to the Kansas Employment Security Law, the legal staff represents the Department at administrative hearings to determine if contribution taxes are to be paid or if unemployment benefits have been properly paid. Staff attorneys institute lawsuits in the state district court to collect monies found due and owing the state by administrative order, pursue the collection of debts through extensive utilization of prejudgment and postjudgment remedies, file claims in bankruptcy proceedings, represent the Department in mortgage foreclosure actions, approve administrative levies and enforce administrative subpoenas. The legal staff reviews alleged fraud cases and makes referrals to district and county attorneys for prosecution. The legal staff takes appropriate legal action to insure confidentiality of information, as required by the Kansas Employment Security law.

House Labor + Industry  
Attachment #2-1  
1-23-92

Legal Services provides formal and informal opinions to all components of the Department of Human Resources. Legal Services reviews major contracts issued pursuant to the Job Training Partnership Act and its regulations. Staff attorneys represent Service Delivery Areas I and V at administrative hearings. A procedure for collection of monies found due and owing by administrative orders has been developed and is now being used. Legal Services represents the Department at administrative hearings of state level JTPA complaints.

Legal Services represents the Department when administrative orders from the Employment Standards and Labor Relations section are appealed for judicial review to the district and appellate courts. Staff attorneys institute lawsuits to collect monies found due and owing as wages by administrative order. In addition, staff attorneys conduct wage claim hearings. The attorneys for the department extensively utilize postjudgment remedies in the collection of monies. Legal Services also provides staff support to the Public Employee Relations Board.

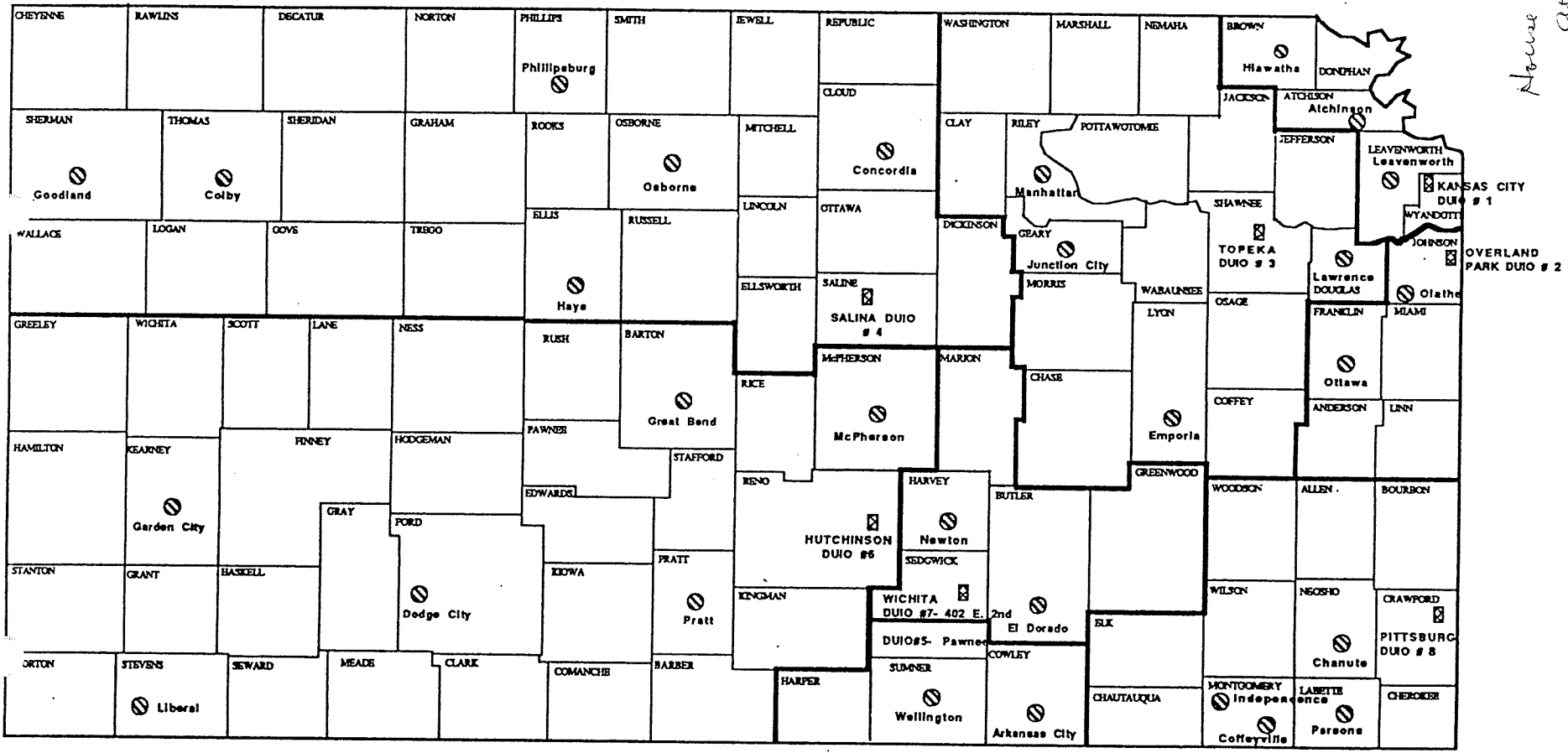
Legal Services represents and defends the Department in litigation filed pursuant to the Civil Rights statutes. The Department is represented from the time the initial complaint or grievance is filed through all levels in the state and federal courts. Staff attorneys represent the Department in any trial or other action filed in district court or appealed to the higher courts in the state and federal judicial system.

Legal Services provides miscellaneous services of a legal

nature to the Department at the request of the Secretary. The services include, but are not limited to, drafting of leases and purchase agreements; rendering opinions on real estate transactions; developing proposed legislation and regulations; and interpreting state and federal statutes, regulations, rules and policies. Additionally, Legal Services provides legal advice as to policies and procedures relating to safety of Department employees, buildings, records and equipment.

# Unemployment Insurance Office Locations

*House Labor & Industries  
Attachment #3-1  
1-23-92*



- ☐ DISTRICT UNEMPLOYMENT INSURANCE OFFICES
- ⊘ ITINERANT LOCATIONS



OVERVIEW OF CONTRIBUTIONS BRANCH RESPONSIBILITIES

1. Administer the Unemployment Insurance Contributions Branch statewide program. When fully staffed, the Contributions Branch has 86 full-time employees, four intermittent and ten temporary employees for a total of 100 → the intermittent and temporary employees work primarily during report processing four times a year. Of the 86 full-time employees, 41 employees are housed and work out of the administrative operations at 401 Topeka Blvd. while the other 45 employees are field personnel working out of 20 offices throughout the state.
2. The Contributions Branch has five major functions → determining employer liability; securing delinquent monies and reports; correcting employer errors in reporting and processing employer quarterly reports; employer tax rate determination; and auditing employer books and records to insure compliance.
3. Prepare all procedural and policy material for distribution to Contributions Branch staff and other interested segments of the Agency → including, *Administrative Operations Manual; Field Operations Manual; Administrative Rulings and Legal Decisions Vol. I, II & III; and the Kansas Employment Security Law with Rules and Regulations*. Develops and conducts training in all Contributions related activities to Branch staff.
4. Draft proposed legislative changes and prepares related material for discussion purposes before the Advisory Council or Legislative Committees.
5. Conducts seminars for the public on Contributions issues in general or specific problem areas. This is usually from Job Service Employer Committee (JSEC) activity, Chambers of Commerce, Certified Public Accountant Society, or Public Accountant Society.
6. Work with other agencies to supply contributions related information. Responsible for enforcement of exchange of information in accordance with *K.S.A. 44-714(f)*.
7. Prepare letters of response for Secretary's signature and miscellaneous reports as required or appropriate.

House Labor + Industry  
 Attachment #4 -1  
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OVERVIEW OF BENEFIT SECTION RESPONSIBILITIES

1. Administer the Unemployment Insurance benefit programs, including the regular State UI; Ex-Service members Unemployment Compensation (UCX); Unemployment Compensation for Federal Employees (UCFE); Extended Benefits (EB); Trade Readjustment Assistance (TRA); Process payments for Trade Adjustment Assistance (TAA); Disaster Unemployment Assistance (DUA); Combined Wage Claim transfers (CWC); All types of Interstate Liabile Claims Activity (IB); All of the processing of Shared Work claims activity; and Child Support offset program.
2. Provides technical and functional supervision to the claims offices for the following programs: Interstate Claimstaking (agent) and the Internet activity; Nonmonetary Adjudication; and all federal programs processed in the claims offices. Technicians review claimstaking operations on site and provide training when needed. Prepares reports of the visits.
3. Prepares all procedural and policy material for distribution to all staff both in the Benefit Section and the claims offices. This is by Benefit Operations Manual Bulletins (BOMB) or for the Kansas Benefit Operations Manual (KBOM). Prepares materials and conducts training on all related claims activities in the claims offices and the Benefit Section.
4. Prepares legislation materials for discussion purposes before the Advisory Council or Legislative Committees.
5. Conducts seminars for the public on unemployment insurance in general or specific problems or programs. This is usually from JSEC activity or Chambers of Commerce.
6. Work with other agencies to supply information relating to the receipt of benefits. This includes a sizable workload particularly at 1099 time and data to other public officials who can obtain information under K.S.A. 44-714(f).
7. Prepare miscellaneous letters for Secretary's signature and miscellaneous reports.

*House Labor & Industry  
 attachment #5-1  
 1-23-92*