

Testimony before House Commerce and Economic Development
House Bill 2531- Work Comp Nominating Committee
Presented by Eric Stafford, Senior Director of Government Affairs



Thursday, February 2, 2012

Mister Chairman and members of the committee, my name is Eric Stafford and I am the Senior Director of Government Affairs for the Kansas Chamber.

On behalf of the organizations included at the bottom of my testimony, I would like to express our support for HB 2531 which brings much needed reform to the nomination process for Administrative Law Judges and Work Comp Appeals Board members.

Under the current process, a two member nominating committee from the Kansas Chamber and AFL-CIO must reach a consensus before submitting a nominee to the Secretary of Labor. After the names are submitted, the two member nominating committee reviews applicants and negotiates not to the most qualified, but to the least objectionable candidate.

Last year the Kansas legislature passed HB 2134, a compromise agreement between business and labor (and the first significant work comp reform legislation to pass in 18 years). While the bill was in the Senate, it was debated whether or not to include an amendment granting the Secretary of Labor authority to nominate the work comp ALJ's and Appeals Board members.

While we did not disagree with the reason behind the amendment (to improve the quality of judges), we were not comfortable supporting language granting the Secretary full control over the selection process. We agreed to sit down with the Secretary to discuss our concerns following the legislative session.

Moving ahead to fall 2011, representatives from the Kansas Chamber, Kansas SHRM, and KSIA met with the Secretary to find a compromise that keeps the selection process free from political influence. Those meetings resulted in an expanded seven member panel comprised of two business representatives (Kansas Chamber, NFIB); two labor representatives (AFL-CIO, public employee); and one representative from each of the following: Kansas Society for Human Resource Management, Kansas Self-Insurers Association, and the Secretary of Labor. With this additional input, we feel the process will be much more comprehensive when reviewing applicants for work comp ALJ's, appeals board and UI review board vacancies.



The Kansas Chamber, with headquarters in Topeka, is the leading statewide pro-business advocacy group moving Kansas towards becoming the best state in America to do business. The Chamber represents small, medium and large employers all across Kansas.

Last year's compromise bill was a success because multiple organizations with an interest in the work comp system were able to provide input on ways to improve the system. Input was not limited to a select few. The same standard of diverse input should apply for the selection process for the judges serving in the work comp system.

Thank you for taking time to listen to our testimony and I would be glad to stand for questions.

Associated Builders and Contractors, Heart of America Chapter
Associated General Contractors of Kansas
Builders' Association of Kansas City
Greater Topeka Chamber of Commerce
Kansas Agri-business Retailers Association
Kansas Association of Insurance Agents
Kansas Building Industry Association
Kansas City Chapter, Associated General Contractors
Kansas Chamber of Commerce
Kansas Cooperative Council
Kansas Grain and Feed Association

Kansas Hospital Association
Kansas Restaurant & Hospitality Association
Kansas Roofing Association
Lenexa Chamber of Commerce
National Federation of Independent Business/Kansas
Overland Park Chamber of Commerce
Topeka Independent Business Association
Wichita Independent Business Association
Wichita Metro Chamber of Commerce