

**Testimony before House Commerce and Economic Development
House Bill- 2627 Wage Withholding
Presented by Eric Stafford, Senior Director of Government Affairs**



Tuesday, February 14, 2012

Mister Chairman and members of the committee:

My name is Eric Stafford. I am the Senior Director of Government Affairs for the Kansas Chamber. The Kansas Chamber is pleased to support House Bill 2627 which amends statute to allow employers to withhold wages in instances where money is owed from an employee to the employer in specific, limited circumstances.

Kansas' laws regarding wage withholding are overly restrictive. House Bill 2627 offers employers the flexibility to withhold wages in cases where employees owe the repayment of loans or advances, payroll overpayment, compensation for uniforms or compensation for breakage or loss of merchandise which the employee was responsible for.

Allowing these few exceptions would relieve employers of administrative burdens associated with collection of money rightfully owed to employers by eliminating the step of receiving a written agreement for these withholdings from an employee. This can be difficult to near impossible in cases where the employee no longer works for the employer.

We would recommend a slight modification to the bill as drafted. In subsection (b)(4), new language reads "to compensate the employer for breakage, loss or return of merchandise..." There are instances where wear and tear of equipment is common in the day-to-day operations, such as equipment which wears out for a construction company. Perhaps language could be added to clarify that the breaking of equipment is deliberate or intentional.

We also would like to make sure that theft is clearly covered under these proposed changes. While section (b)(4) covers "inventory shortage" caused by the employee, we would prefer more definitive language regarding theft of employer merchandise or cash.

In closing, we feel the changes made under House Bill 2627 would go a long way in simplifying administrative operations for employers in our state and we would ask for your support.



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.