

Testimony in opposition to HB 2022

Before the Kansas Senate Committee on Commerce

By Bruce Tunnell

Executive Vice President, Kansas AFL-CIO

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Madam Chair and members of the committee, thank you for this opportunity to appear before you today to testify in opposition to HB 2022. As the bill is written it contains very little protections for the employee within the new language of the bill.

With regard to purposes one and two, HB 2022 as written would allow an employer to make addition deductions from an employees wages for overpayment or loan repayment with only a written notice and without any limits. Essentially this grants an employer the rights to garnish a substantial portion of an employee's paycheck. For workers and their families who live paycheck to paycheck this could have a dramatic impact on their ability to make ends meet. Without some requirements that the employer and the employee must have an agreed upon method for repayment HB 2022 is completely without balance in the employer-employee relationship.

Not only does HB 2022 allow employers to deduct wages with minimal notice, the bill places no time limit on when employee's paycheck can be withheld by an employer. It appears that many months or even years after an overpayment an employer would be able to - again with little notice and no consent of the employee - begin taking earned wages out of an employee's paycheck.

With regard to the third purpose for wage deductions allowed by this legislation, this condition too is written to be completely one-sided. Employers appear to be able to assign responsibility without any input from an employee. Again, nothing in the legislation would appear to prevent an employer from holding an employee responsible for losses or a shortage months or years after the fact.

It is because of the overwhelming lack of protections for workers that this bill establishes that we urge you to amend the bill to include more protections for workers.