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MEMORANDUM

To: House Committee on Education
From: Nick Myers, Assistant Revisor of Statutes
Date: February 4, 2015
Subject: House Bill 2034

The professional negotiations act requires school boards and professional employees or professional employees' organizations to negotiate in good faith "terms and conditions of professional service." Currently, the PNA applies to school districts, technical colleges and community colleges.

"Terms and conditions of professional service" means: (A) Salaries and wages, including pay for duties under supplemental contracts; hours and amounts of work; vacation allowance, holiday, sick, extended, sabbatical, and other leave, and number of holidays; retirement; insurance benefits; wearing apparel; pay for overtime; jury duty; grievance procedure; including binding arbitration of grievances; disciplinary procedure; resignations; termination and nonrenewal of contracts; reemployment of professional employees; terms and form of the individual professional employee contract; probationary period; professional employee appraisal procedures; each of the foregoing being a term and condition of professional service, regardless of its impact on the employee or on the operation of the educational system; (B) matters which relate to privileges to be granted the recognized professional employees' organization including, but not limited to, voluntary payroll deductions; dissemination of information regarding the professional negotiation process and related matters to members of the bargaining unit on school or college premises through direct contact with members of the bargaining unit; reasonable leaves of absence for members of the bargaining unit for organizational purposes such as engaging in professional negotiation and partaking of instructional programs properly related to the representation of the bargaining unit; any of the foregoing privileges which are granted the recognized professional employees'

organization through the professional negotiation process shall not be granted to any other professional employees' organization; and (C) such other matters as the parties mutually agree upon as properly related to professional service including, but not limited to, employment incentive or retention bonuses authorized under K.S.A. 72-8246, and amendments thereto.

HB 2034 modifies the definition of "terms and conditions of professional service" in K.S.A. 72-5413 and reduces the number of mandatorily negotiable items as applied to school districts. The bill requires school districts and professional employees' organizations to negotiate "salaries and wages, including pay for duties under supplemental contracts, and hours and amounts of work" but does not require negotiation on any other items. School districts and professional employees' organizations may still negotiate any of the previously required items upon mutual agreement by both parties to negotiate such items. This bill does not affect technical colleges or community colleges.