



Testimony to House Education Committee
HB 2034 Amending the Professional Negotiations Act
February 4, 2015
Dave Trabert, President

Chairman Highland and members of the Committee,

We appreciate this opportunity to testify in support of HB 2034, which reduces the mandatory subjects of bargaining in the Professional Negotiations Act.

In 2012, the Governor's School Efficiency Task Force recommended that that the Legislature "Revise/narrow the Professional Negotiations Act to prevent it from hindering operational flexibility/resource assignment." More recently, the Kansas Association of School Boards (KASB) encouraged the K-12 Commission on Student Achievement and Efficiency to "...recommend policies that empower local school leaders to make the best decisions for their community - but with accountability for results." Recommendations under that heading included this statement: "...the number of items required for bargaining should be reduced."

After reflecting on testimony submitted to the K-12 Commission and consulting with superintendents and other education groups, the signatories of the Commission's Minority Report recommended the legislative changes reflected in HB 2034. Mandatory subjects of bargaining would be limited to "salaries and wages, including pay for duties under supplemental contracts, and hours and amounts of work."

All other mandatory subjects of bargaining currently in statute would become 'permissive' subjects of bargaining subject to mutual agreement of the negotiating parties. Those subjects are, vacation allowance, holiday, sick, extended, sabbatical, and other leave, 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, employment incentive or retention bonuses authorized under K.S.A. 72-8246 and amendments thereto; and (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 and 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.

We believe HB 2034 provides school districts with much-needed flexibility to make operating decisions in students' best interests and encourage the Committee to recommend it favorably.