



**Kansas Association of
Chiefs of Police**

PO Box 780603
Wichita, KS 67278
(316)733-7301



**Kansas Sheriffs
Association**

PO Box 1122
Pittsburg, KS 66762
(620)230-0864



**Kansas Peace Officers
Association**

PO Box 2592
Wichita, KS 67201
(316)722-8433

**Testimony to the House Pensions and Benefits Committee
Working After Retirement
March 16, 2015**

Chairman Johnson and Committee Members,

This testimony is in response to the request by the chair for testimony on the ideas floated on Wednesday, March 11, involving options to change the way working after retirement is addressed across all KPERS plans. It is not directly related to HB2253 since that bill deals with working after retirement for teachers, nor are we opining on HB2253 in its current form.

As we listened to the discussion on Wednesday several questions were raised by members of the committee. We also had many questions about the proposed "unretirement" plan. As you know we have non-sworn employees who are under KPERS and we have sworn officers under KPERS and others under KP&F.

Law enforcement officers, like firefighters, are engaged in a profession that is physically and mentally demanding. While some can continue to retain the ability to meet those demands beyond their retirement eligibility age, many cannot. This results in many of our officers retiring at an earlier age than non-law enforcement personnel. This ability is critical to maintain both public safety and officer safety. These retirees do not leave their expertise and knowledge on the office shelf when they retire. There are many positions within government agencies where this expertise and knowledge remains useful but do not require the physically demanding responses. However, in many cases, those jobs are at a much lower pay than that of an officer. This makes the "unretiring" concept impractical for an employee who wishes to work after retirement in one of these positions.

Also, many of these retirees go into positions where the law enforcement expertise, knowledge and experience is highly desirable. For example, many of the instructors at the Kansas Law Enforcement Training Center are retired officers. Other places where the retirees can be used is in report review and classification; property rooms; crime scene processing; technology services; impound lots; report desks; and many others. Using retirees in these positions not only allows agencies to leverage the knowledge and experience, but in many cases it allows those positions to be filled at a lower cost and allows the higher salaried officers to be assigned to active law enforcement duties requiring the physical abilities.

Currently we can take advantage of those retiring officers' expertise because working after retirement restrictions do not extend across retirement plans. We believe that should be retained. In reality, any new retirement benefits are being earned and paid for the same as any other employee. This does not cost the employer any more than for an employee without prior law enforcement experience.

One of the questions raised on Wednesday was whether a change in working after retirement conditions would be considered in violation of the employee's rights as the courts have ruled in other matters changing the rules. We believe clearly this would be true of a person who is already retired. We also believe it is true of an employee who is already a KPERS active member. We would expect a legal challenge to a change for these members without an equivalent balancing modification.

Although we realize this concept is in its infancy and many of the details have not been thought through yet, we also recognize there are many consequences to the concept that have not been realized or vetted. We believe there are many things to consider beyond the actuary reports and public perceptions of working after retirement

Ed Klumpp

Kansas Association of Chiefs of Police, Legislative Committee Chair

Kansas Sheriffs Association, Legislative Liaison

Kansas Peace Officers Association, Legislative Liaison

E-mail: eklumpp@cox.net

Cell: (785) 640-1102