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**Testimony before the Senate
Committee on Commerce**

Senate Bill 3

Presented by Justin McFarland

Chairwoman Lynn and Honorable Committee Members:

The right to receive unemployment benefits is not absolute. *Helmick v. Kansas Employment Security Board of Review*, 17 Kan.App.2d 444 (1992). Instead, the system is designed to address the concerns and societal burdens that come from *involuntary* unemployment. See K.S.A. 44-702.

Under current law, individuals who are school bus or other motor vehicle drivers employed by a private contractor to transport pupils, students and school personnel to or from school-related functions or activities for an educational institution are disqualified from receiving unemployment benefits for weeks between academic years or terms. This is consistent with other provisions that disqualify individuals who work in school services from receiving unemployment benefits. See, e.g., K.S.A. 44-706(i)(j)(k) and (o). The public policy behind these disqualification provisions is that individuals who are out of work between terms are not involuntarily unemployed. Instead, they are on a planned break, and so long as such individual has reasonable assurance of returning to work, they should not be entitled to unemployment insurance benefits.

Important to note is that school bus drivers are qualified to receive unemployment benefits in the event they are involuntarily unemployed during the school year.

Thank you for your time and I look forward to answering any questions.