International Association of Fire Fighters
Local 64

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BEFORE THE KANSAS SENATE STANDING COMMITTEE ON COMMERCE
TESTIMONY OF ROBERT S. WING

My name is Bob Wing. I am the Business Manager of Local 64 of the International Association of Fire Fighters (IAFF), and I am a full-time Captain on the Kansas City, Kansas Fire Department. I also serve as President of the Kansas State Council of Fire Fighters, which is comprised of twenty-eight local affiliates across the State of Kansas.

I am here today as the representative of the members of the Kansas State Council of Fire Fighters, and the individual members of the various IAFF locals affiliated with the Council. On behalf of our members and their families, I am here today to express our opposition to Senate Bill No. 179. This unnecessary bill, which would significantly change the Public Employer-Employee Relations Act (PEERA), seeks to end public-sector collective bargaining as we know it, and would destroy a system that has worked successfully for many decades.

As you know, current state law gives public employees the right to join and participate in labor organizations. Kansas State statute 75-4324 states as follows:

"Public employees shall have the right to form, join, and participate in the activities of employee organizations of their own choosing, for the purposes of meeting and conferring with public employers or their designated representatives with respect to grievances and conditions of employment."

Whether a city or county government is covered by the provisions of PEERA is purely voluntary. In other words, whether a government body is subject to PEERA is up to the elected officials of the government body. Additionally, government bodies who have elected coverage under PEERA are empowered by the Act to vote to rescind coverage under PEERA.

Several city and county governments in the State of Kansas have elected coverage under PEERA. These entities and the labor organizations that represent the employees have enjoyed good relationships. There have been no strikes or interruptions of service to the public. Employee grievances have been resolved in a fair manner. Public employees in these jurisdictions know that they have a method for resolution of disputes and they know that the city or county has recognized and respected their right to choose a representative.

The organized employees in these cities and counties believe that the statute has functioned as it was intended. The PEERA statute sets forth several fundamental principles.

The statute, as currently enacted, says:

1. The people of this state have a fundamental interest in the development of harmonious and cooperative relationships between government and its employees.
2. The denial by some public employers of the right of public employees to organize and a refusal by some to accept the principle and procedure of full communication between public employers and the public employee organizations can lead to various forms of strife and unrest.

The represented jurisdictions, which include Kansas City, Manhattan, Topeka, Wichita, Hays and many others, have developed harmonious and cooperative relationships with their employees because of good faith dealings by the employer, the employees, and the labor organizations that represent them. I believe that Senate Bill No. 179 is a direct threat to these relationships.

Without the procedures currently included in PEERA, employment matters that would otherwise be resolved under the provisions of a collective bargaining agreement will instead be litigated in the courts. This will necessarily increase costs to both the labor organizations and the cities and counties covered by PEERA. It will also lead to a greater caseload in the courts.

Senate Bill 179 will also increase the cost to cities and counties contemplating coming under the provisions of PEERA. Presently, a city council is empowered to vote for coverage under the Act. The proposed Bill, however, will require the city to hold a referendum after the city council votes for coverage under PEERA. Again, this will obviously increase the cost to the city or county.

Senate Bill 179 also strips cities and counties of the authority granted them by their citizens, as the Bill severely limits local control. The Bill limits what cities and labor organizations may discuss in bargaining, as well as what subjects may be included in a collective bargaining agreement. For example, the Bill prohibits cities and labor organizations from agreeing to a grievance procedure. As noted above, this will result in parties filing suit in state courts to assert or protect contractual rights, rather than having such matters resolved more efficiently through dispute resolution procedures included in a contract.

Again, whether a city or county is covered by PEERA is presently a matter to be determined by the peoples' elected representatives in each respective city or county. Thus, coverage is a matter of local control. The statute has protected local control since it was initially enacted into law. Senate Bill 179 is an attack on local control, and its passage would, at the end of the day, limit the citizens' rights to self-government.

PEERA is not a perfect law. It is only as good as the parties working under it. However, where the parties make serious efforts to work together in good faith, PEERA provides a means for success. For example, in Kansas City, Local 64 and the Unified Government have worked together under PEERA for many years and we have negotiated many contracts. Prior to coming under PEERA in the 1970s, the relationship between the City and its employees was marked by strife. But with the processes and procedures included in PEERA, the City and the unions representing its workers have enjoyed a forty year period of cooperation.

Moreover, PEERA currently provides the city or county's governing body the freedom to legislate the final terms of any agreement. Collective bargaining simply gives employees a voice, through their bargaining representative, with respect to the matters that concern them in their employment relationships. I sincerely believe that this leads to more satisfied and productive employees. Employees who feel they have a means for redress of their grievances are much more likely to stay in their positions and much less likely to seek resolution of such issues through the court system. Senate Bill 179 will undoubtedly have a negative effect on employee morale, as employees will find themselves voiceless in the workplace.

As President of the State Council of Fire Fighters, I believe that local governments that have elected coverage are largely satisfied with the results. And, again, should a local government determine coverage under PEERA as currently enacted is not a positive or helpful process for dealing with its employees, local government is free to opt out of coverage.

In summary, PEERA has provided a mechanism for the establishment and development of harmonious and cooperative relationships between local governments and their employees, through the process of collective bargaining. This was precisely the purpose of enactment of PEERA in the first place. Senate Bill No. 179 will erode the harmony and cooperation that so many have worked for so long to achieve. I respectfully urge you to vote against this destructive and unnecessary Bill.

Respectfully submitted by,

Robert S. Wing, President
Kansas State Council of Fire Fighters