



Fraternal Order of Police Kansas State Lodge

March 9, 2015

The Honorable Julia Lynn, Chairperson
Senate Commerce Committee
Statehouse, Room 548-S
Topeka, Kansas 66612

RE: Testimony of Kristen Marr, President of Topeka Lodge #3; Written
testimony in Opposition to Senate Bill 179

Dear Chairperson Lynn and Members of the Committee:

Thank you in advance for your consideration of my written testimony in opposition to Senate Bill 179. My name is Kristin Marr, and I am the President of the Fraternal Order of Police, Topeka Lodge #3. I have worked as a police officer for 19 years in Topeka. On behalf of all the Lodges throughout the State of Kansas and its some 3,200 members, I am writing to express our strong opposition to Senate Bill 179.

As you know, the Public Employer-Employee Relations Act (PEERA) was enacted in the 1970's and has remained essentially unaltered since that time. The Act was designed to provide employees an opportunity to meet and discuss issues of mutual concern with their employers. PEERA later became model legislation for many states around the country. PEERA automatically gives all state public employees the right to meet and confer with their employer. However, PEERA does not automatically apply to county and municipal governments; instead, the Act gives each municipality and county the right to determine whether to be covered by the Act. Many Kansas municipalities, through their democratically elected officials, have voluntarily chosen to be covered by PEERA because they believe it is in the best interests of their employees and the members of their communities. Under PEERA, those local governments can decide to opt out of PEERA as well. PEERA only provides for a discussion process and it does not require a covered employer to agree to anything. This voluntary system has worked extraordinarily well around the state for almost three (3) decades. However, Senate Bill 179 seeks to essentially eliminate that system.

Senate Bill 179 first seeks to eliminate the Public Employee Relations Board (PERB). Members of the Board are appointed by the Governor. PERB serves in an oversight capacity and it rarely meddles in the relationship between the employer and its employees. We believe that the PERB's oversight is important and should remain in place to provide guidance to the parties.

Senate Bill 179 would also limit the subjects that the parties are required to discuss. In addition to compensation, PEERA currently gives employees the opportunity to meet on a level playing field with their employers to discuss a variety of issues like due process rights in internal investigations and promotional processes. Again, these subjects of discussion have been in place for a substantial period of time and the law has given employees an opportunity work with their employers to arrive at mutually beneficial agreements. We believe that those subjects should remain the same.

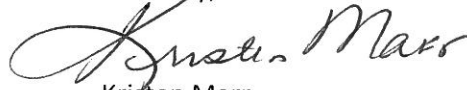
The proposed legislation would also eliminate the non-binding mediation and fact-finding processes provided under PEERA. When the parties are unable to reach an agreement on certain subjects, these processes allow the parties to seek outside help to improve communication between the parties and resolve their differences. If these non-binding processes are eliminated, many divisive issues would continue to fester and have a negative impact on the working relationships between the employees and the employers. We, again, think these well-established processes should remain in place.

Finally, Senate Bill 179 changes the manner in which the employee representatives are selected. Currently, a majority vote of the employees determines their representatives. We believe this is the most fair and democratic way to determine who speaks for the employees. Employees should have an individual vote on who represents them, and we should err on the side of freedom.

PEERA has given many police officers and firefighters around the state the right to meet with their employers to discuss issues that affect them and their families. These men and women make many sacrifices and place their lives on the line to protect their communities. PEERA gives them an opportunity to have a say in the direction of their career and the manner in which they support their families. This system has worked well, and we urge you to leave PEERA intact.

Thank you for your time in reviewing my testimony.

Sincerely,

A handwritten signature in black ink, reading "Kristen Marr". The signature is written in a cursive style with a large, looping initial "K".

Kristen Marr

President – FOP Lodge #3