



David M. Schauner, KNEA General Counsel Testimony
Senate Standing Committee on Commerce
March 11, 2015
Senate Bill 179

Dear Madam Chairman and Members of the Committee,

My name is David Schauner, Kansas National Education Association General Counsel. On behalf of 20,000 KNEA members I offer this written testimony in opposition to **Senate Bill 179**.

SB 179 is a clear attempt to remove the organized voice of tens of thousands of hard working Kansans. As a native Kansan and the son of a member of the IBEW, I am dismayed that elected officials would show so little regard for the workers who plow the streets, teach the children, clean the sewers, and perform the thousands of thankless tasks that make our modern civilization possible.

Although I am trained to analyze matters with the eye of a lawyer, I confess that I can only see SB 179 as a Kansan and see its negative impact on the men and women that make Kansas a great place to live, raise a family, and work as a part of a larger family that believes in common values and strives to make Kansas a better place.

The notion that we should dismantle a system that provides a collective voice for Kansas workers is anathema to the long history of Kansas politics that values progressive policies and the value of the individual. Proud Kansans like Dwight Eisenhower fought for a country that stood for the rights of every citizen. A country that values hard work. When men and women work collectively to improve their life, to improve life for their families, and to make a life of better opportunities for their children they should be assisted by government policy not the opposite. Collective negotiations is a road to achieve those goals. Making it harder or impossible to achieve those goals seems to be the purpose of SB 179.

Why? Why should it be the goal of any group to make it harder for those who make our 21st-century world possible to achieve the American dream? Kansas workers are free to join or not join a labor union. If a majority of those workers petition their employer for bargaining recognition pursuant to PEERA there should be a fair system in which they can exercise their collective choice. The PERB and related mechanism was created for that purpose. SB 179 is designed to reduce the input of employees at the bargaining table. It reduces the matters that can be bargained to “minimum amount of salaries and wages.” It also eliminates the mediation of bargaining matters. In addition the bill grants to the public employer the exclusive right to:

“(h) determine the criteria, procedures and methods by which candidates for hire, promotion, demotion, transfer, assignment, retention, furlough, lay-off or termination are identified; and

(i) determine which personnel shall be hired, promoted, demoted, transferred, assigned, retained, furloughed, laid-off or terminated.”

In summary the bill dismantles the bargaining relationship between public employees and their public employer, abandons the PERB board, and restricts the topics that can be bargained to minimum salaries. Taken collectively SB 179 destroys decades of public policy that has given public employees a meaningful voice in their work life.

SB 179 is not good public policy. I urge this committee to reject it.