



March 8, 2016

Testimony in Support of SB 469

Chairwoman Lynn and Members of the Committee:

On behalf of Americans for Prosperity activists across the state, thank you for this opportunity to voice our support for SB 469.

Under current statute, KSA 75-5414, *“Professional employees shall have the right to form, join or assist professional employees' organizations, to participate in professional negotiation with boards of education through representatives of their own choosing...”*

The statute also provides that, *“professional employees shall also have the right to refrain from any or all of the foregoing activities.”*

In the 45 years since the 1970 passage of collective bargaining rights in Kansas, 75-5414 is becoming a distant memory.

Because the existing process for organization recognition does not require any type of ongoing election process, very few professional employees have ever voted for, or against, the organization that represents them. The vast majority of professional employees have inherited their current representation, but never voted for it.

A look at the dates of organization of Kansas' largest school districts shows that in many districts only employees with 20 to 45 years or more of service would have voted for their representation:

Wichita – 1996
Shawnee Mission – 1971
Kansas City – 1971
Olathe – 1970
Topeka - 1970

The current process for decertification requires a petition to the Secretary of Labor with credible evidence, normally a petition, that at least thirty percent (30%) of the professional employees in

the unit support the decertification request. Although this may be possible in smaller districts, collecting more than 1000 signatures is a much more difficult task in larger districts.

SB 469 would establish an annual recertification of the representative organization. This would mean an ongoing process of professional employees voting to retain or change their representation. They could also choose to have no representation at all.

The fiscal note for SB 469 indicates an annual cost of \$340,000 to implement an annual recertification process. However, SB 469 allows the Secretary of Labor to create a fee schedule for the purpose of election expenses to be collected from professional employee organizations participating in elections.

It is also important to note that the language of the bill would authorize elections by mail, telephone and internet based methods. Wisconsin, for example, contracts their recertification elections through the American Arbitration Association for a cost of \$1.50 per voter per election. Internet based systems, are even less expensive.

SB 469 will engage professional employees in an ongoing selection process instead of inheriting the representation selected by others more than 40 years ago. The bill will end the perpetual nature of professional employee representation in Kansas, and replace it with real choice for Kansas professional employees.

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