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Testimony In Opposition to Senate Bill 469 Before Senate Commerce Committee By Bruce Tunnell Executive Vice President Kansas AFL-CIO March 9, 2016

The Kansas AFL-CIO opposes SB 469 for several reasons.

First, this bill is an unprecedented attack on professional employee organizations and their rights to freely organize. This bill is essentially treating professional employee organizations differently for partisan political reasons. Many professional employee organizations have openly spoke out against the educational policies promoted by the Brownback administration and the Kansas Legislature. Policies such as the failed public education funding formula, attacks on common core, attacks on their benefits, and their collective bargaining rights. For these reasons and for their advocacy efforts, the Kansas Legislature has essentially declared war on these professional employee organizations and thus are seeking political retribution against them. This piece of legislation is just another partisan attack against teacher's and their professional employee organizations and serves as punishment of political opponents.

SB 469, in our opinion, violates the equal protection clause of the 14th amendment. There is no amount of sufficient evidence that shows the requirement that all professional employee organizations recertify each year with a majority of all professional employees in the represented unit serves or bears any rational relationship to a legitimate government interest. This law creates an unjustifiable arbitrary distinction of how professional employee organizations are certified.

Requiring annual recertification is unprecedented for any type of union. Singling out professional employee organizations is unjustifiable. It seems completely irrational to impose this unique burden on a voluntary organization. Suppose we applied the same approach to elections for legislators. Assume that all eligible voters who do not vote should be counted as a "no" vote, the votes for "no" would win virtually every time an election is held. It is unclear and hypocritical why a voluntary organization of employees with minimal bargaining rights would need annual recertification under hypocritical voting regulations that would undermine our democracy if applied to government elections.

The legislature would be negligent not to note the burden the annual recertification process would impose on members' association and speech rights. This piece of legislation is a direct burden on professional employee organizations and creates a clear partisan division between classes of collective bargaining units.

For these reasons, the Kansas AFL-CIO is against SB 469 and asks you to vote against SB 469.

Thank you for your time and consideration.