



Kansas State Council of SHRM, Inc.
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House Committee on Commerce
February 21, 2019
Opposing Testimony on HB 2186

Chairman Tarwater and Honorable Committee Members,

I am Tara McKinney appearing on behalf of Kansas Society for Human Resource Management (KS SHRM). For those unfamiliar with KS SHRM, it is a professional organization comprised of 2,300+ HR professionals in Kansas. KS SHRM serves the needs of HR professionals and advances the interests of the HR profession throughout the state. Our members are responsible for developing and implementing workplace policies and practices that comply with federal, state, and local laws and provide guidance to line managers on fair and effective people management practices. Our members serve in the public and private sectors representing unionized and non-unionized businesses of all sizes. As HR professionals, we are on the front lines of important employment issues daily such as:

- Workforce Planning and Employment
- Human Resource Development
- Compensation and Benefits
- Employee and Labor Relations
- Workers' Compensation
- Unemployment Insurance

I am also the Human Resources Manager for Phenix Label, a manufacturer in Olathe, KS and have more than 20 years of Human Resources experience in a number of states and industries. On behalf of KS SHRM and its members, I am here to provide opposition on HB 2186 and would like to offer my professional expertise on the proposal. Below are a few points I would like for you to consider as you contemplate action on HB 2186, a bill that fails to address necessary concerns of affected employers, and may actually result in the loss of benefits to many currently covered employees:

- HB 2186 does not mandate sick leave be provided nor that employers currently providing sick leave continue to provide. This means employers who either cannot afford to extend this benefit, or do not want to extend this benefit, may stop providing the benefit altogether to employees who otherwise would continue to enjoy the benefit.
- The definition of family is not consistent with the existing Family and Medical Leave Act language. This creates unnecessary inconsistency in the eligibility for and administration of employer offered benefits.



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- Sick leave is not clearly defined. While there are employers who carve out leave time in categories like "vacation" and "sick leave," many employers offer one category or bucket of Paid Time Off "PTO" that is intended for any use by the employee, including sick leave. Many of those employers' PTO policies specifically state PTO can be used for sick leave. It is unclear in HB 2186 if PTO would have to be considered sick leave. The ambiguity would leave employers wondering if they will need to split their PTO benefit back into separate buckets of vacation, sick leave, personal, etc., making it more burdensome administratively and less popular with employees.
- The bill is unclear if it would apply to employers not currently offering sick leave.
- KS SHRM generally opposes mandates that relate to employee benefit offerings. Employers compete for talent and if they are not competitive, talent will leave. KS SHRM believes benefits are best driven by the market and negotiated between the employer and employee.

Based on these concerns outlined above KS SHRM urges you to not pass HB 2186. Thank you for the opportunity to appear before you today. I am happy to answer questions at the appropriate time. I can also be reached by phone at 913-433-3199 if you have any additional questions after today.