

February 18, 2020

Mr Chairman and members of the Kansas House Commerce, Labor and Economic Development Committee.

My name is Larry Miller, and I come here to address your consideration for House Bill 2315 changing the law in the Unemployment Security Law Disqualification 44-706 sub section (p).

I have recently retired from my second position as a school bus driver, after 18 years of service, driving children for the Blue Valley School District. My first retirement came in 2001 after 35 years working as a technician and manager for Southwestern Bell.

School Bus Drivers in Kansas who work for a contracted Transportation Carrier such as Durham School Services, First Student and others who experience a lay off after the end of the academic year are not allowed to ask for protection while unemployed during the summer.

The contract carriers try as best as possible to keep their drivers working during the eight to ten weeks between academic school years but there is only so much work that is available such as summer school routes, summer camp activities, bus cleaning, and office work..

The dynamics of today's school bus drivers has changed since Kansas stopped allowing these employees to be considered for assistance back in 1987. Most contract carriers were rural mom and pop companies that did not have the type of work that is available to the large multi-billion dollar world transportation companies that provide transportation services through the year.

School Bus drivers are not any different than a bus driver that provides transportation for trips to Branson, Yellowstone, transportation of teams from hotels to stadiums, or college students to sporting events. There is not much difference in bus drivers that drive for public city transportation services. The only difference is that school bus drivers transport children from Home to School, School to School, plus School Field Trips and Sporting events, drive for public schools and the other drives for private events. Even non-public schools who hire a contract carrier can be considered for unemployment benefits. While all of our public school children are important to a bus driver, those that require Special Needs are precious to their drivers. The children and parents require consistency in having the same driver and monitor year to year. Since these drivers cannot apply or be considered for summer assistance, they could be lost to these children and the school district.

I have visited with contract managers from Durham School Services and First Student on what cost they would incur should a seasoned driver not return due to them acquiring employment in the summer that then turns into a permanent job for the former driver. The average training cost to replace that driver is between \$3,500 to \$4,400 per driver. Some of these new prospective employees may or may not pass the required Commercial Driver License exam after the

training. The best type of driver that these carriers need are retired people who love children like I do. As I mentioned, the dynamics of the 2020 bus driver has changed from retired to a much younger population many of whom have young children that they can take on the route and do not need to look for child care. Even so, getting good rock solid drivers is very hard for the carrier.

I do want to draw your attention to some of the disqualifiers that are included in 44-706. Ninety-five percent of the disqualification has to do with the disqualifier law that includes, for the most part, employees that left work voluntarily, were terminated, use of alcohol, gross misconduct, drug abuse etc. It is interesting that an individual cannot be disqualified for consideration if discharged for unsatisfactory work performance. So then, if a school bus driver is terminated because of unsatisfactory work performance during the school year, they would be eligible for unemployment compensation but not for a layoff. I also want to mention that 44-706 (p) also allows school bus drivers to apply and receive benefits if the carrier provides service for non-school related activities. Employees "shall not be disqualified for benefits as provided in this subsection for any week of unemployment on the basis of service as a bus or other motor vehicle driver employed by a private contractor to transport persons to or from nonschool-related functions or activities." You may have seen their busses at a Chiefs game hauling stadium employees or providing transportation to the Chiefs parade.

All through the section, most refer to "all workers" and employed in many categories except employed as a contract school bus driver during a layoff in the summer. This title specific disqualification seems to be a bit discriminatory. Even though I have never filed for unemployment benefits in my 18 years, I was never told at hire that I would be laid off at the end of the academic year and would not be qualified for unemployment benefits. I would assume that most new drivers who are interviewed are not advised of the disqualifier.

Mr. Chairman, I think I have provided information for you to consider to drop section (p) of the 44-706 disqualifier law that singles out a very honorable position of school bus drivers that transport a most valuable commodity of Kansas School children. School Bus drivers are the first school related person that a child sees in the morning and the last school related employee in the evening. School Bus drivers transport our most valued commodity and should be considered just as any employee that experiences a layoff or even a model change such as those that work in the auto industry.