

# KANSAS HUMAN RIGHTS COMMISSION

	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
<b>Operating Expenditures:</b>					
State General Fund	\$ 1,113,551	\$ 1,101,400	\$ 1,101,400	\$ 1,151,713	\$ 1,081,042
Other Funds	302,284	375,177	375,177	414,810	440,481
<i>Subtotal</i>	<i>\$ 1,415,835</i>	<i>\$ 1,476,577</i>	<i>\$ 1,476,577</i>	<i>\$ 1,566,523</i>	<i>\$ 1,521,523</i>
<b>Capital Improvements:</b>					
State General Fund	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0	0	0
<i>Subtotal</i>	<i>\$ 0</i>	<i>\$ 0</i>	<i>\$ 0</i>	<i>\$ 0</i>	<i>\$ 0</i>
<b>TOTAL</b>	<b><u>\$ 1,415,835</u></b>	<b><u>\$ 1,476,577</u></b>	<b><u>\$ 1,476,577</u></b>	<b><u>\$ 1,566,523</u></b>	<b><u>\$ 1,521,523</u></b>
<b>Percentage Change:</b>					
Operating Expenditures					
State General Fund	5.1 %	(1.1) %	(1.1) %	4.6 %	(1.8) %
All Funds	1.8	4.3	4.3	6.1	3.0
FTE Positions	23.0	23.0	23.0	23.0	23.0

For purposes of this analysis, full-time equivalent (FTE) positions include non-FTE permanent unclassified positions but continue to exclude temporary employees. FTE positions reflect permanent state positions equating to a 40-hour work week.

## AGENCY OVERVIEW

The mission of the Kansas Human Rights Commission is to eliminate and prevent discrimination and assure equal opportunities in all employment relations; eliminate and prevent discrimination, segregation, or separation; and assure equal opportunities in all places of public accommodations and in housing. The agency mission and purpose are established by the Kansas Act Against Discrimination and the Kansas Age Discrimination in Employment Act.

The Commission is composed of seven individuals appointed by the Governor and who are subject to approval by the Senate. The Commissioners include two representatives of industry, two representatives of labor, one licensed attorney, one representative of the real estate industry, and one at-large member.

Commissioners serve terms of four years and, at the will of the Governor and the discretion of the Senate, may be appointed for additional terms. No more than four Commissioners may be from the same political party.

The Kansas Act Against Discrimination has been declared equivalent to Title VII of the Civil Rights Act of 1964, as amended; the Age Discrimination in Employment Act of 1967, as amended; Title VIII of the Civil Rights Act of 1968, as amended; and the Genetic Information

Nondiscrimination Act. Because of this equivalent determination, the Commission is able to enter into contractual agreements with the Equal Employment Opportunity Commission (EEOC), the agency that enforces comparable laws at the federal level. Money generated under this federal contract is used to fund agency operations.

The Commission utilizes two programs. The first is the Compliance and Education program, which is charged with the prevention and elimination of discrimination and the education of the public. The second is the Administrative Hearings Office, which was established by the 2004 Legislature in SB 141. The legislation stated the Commission is required to use at least four commissioners or the Department of Administration's Office of Administrative Hearings to conduct hearings on complaints. A hearing is held when the Commission has reached a finding of probable cause and the case has not been resolved between the parties. The agency contracts with the Office of Administrative Hearings to provide this service.

## **MAJOR ISSUES FROM PRIOR YEARS**

The **2009 Legislature** took the following actions:

- Deleted \$22,212, all from the State General Fund (SGF) to reduce the agency's fiscal year (FY) 2009 approved budget by 1.25 percent;
- Deleted \$171,359, all SGF, to reduce the agency's FY 2010 approved SGF budget to 10.1 percent below the FY 2009 approved amount; and
- Deleted \$113,780, all from special revenue funds, to hold the agency budget for FY 2011 at the legislatively approved amount for FY 2010.

The **2010 Legislature** deleted \$35,442, all SGF, to achieve an SGF reduction of approximately 2.5 percent from the Governor's recommendation for FY 2011.

The **2011 Legislature** concurred with the Governor's Budget Amendment No. 1, Item 1, to add \$1,627,111, including \$1,189,084 SGF, to keep the Commission as a separate agency with 25.0 FTE positions for FY 2012, which was a decrease of 9.0 FTE positions from FY 2011. The Governor had initially recommended shifting the agency responsibilities to the Office of the Attorney General.

The **2012 Legislature** amended the disability provisions of the Kansas Statutes to bring the Kansas Act Against Discrimination into alignment with the federal Americans with Disabilities Act.

The **2013 Legislature** took the following actions:

- Deleted \$100,077, all SGF, for operating expenditures for FY 2014;
- Deleted \$10,423, including \$5,592 SGF, to reflect reduced funding for salaries and wages for FY 2014; and
- Deleted \$10,823, including \$5,811 SGF, to reflect reduced funding for salaries and wages for FY 2015.

The **2015 Legislature** took the following actions:

- Added \$8,000, all from special revenue funds, for the purchase of eight new computers for FY 2016; and
- Added \$3,000, all from special revenue funds, for the purchase of a new server for its Wichita office for FY 2017.

The **2018 Legislature** took the following actions:

- Deleted \$13,005 in FY 2018 and \$13,168 for FY 2019, all from federal funds, which would equalize salaries with a 5.0 percent increase for classified employees who did not receive a pay increase under the 2017 Legislative Pay Plan for FY 2019;
- Added \$35,800, all from the Database Conversion Fund, for database conversion and added language to appropriate the Database Conversion Fund as a no limit fund for FY 2019; and
- Added \$20,029, including \$11,946 SGF, for salary adjustments for FY 2019 equivalent to two steps on the Statewide Pay Matrix for employees who did not receive a salary adjustment as part of the 2017 Salary Initiatives and one step for employees who received approximately one step on the Statewide Pay Matrix in FY 2018.

The **2019 Legislature** took the following actions:

- Deleted \$35,800, all from special revenue funds, in FY 2019 and added \$35,000, all SGF, for FY 2020 for a database conversion from Microsoft Access to SharePoint; and
- Added \$33,614, including \$19,459 SGF, for a 2.5 percent salary adjustment for most state employees for FY 2020.

## **BUDGET SUMMARY AND KEY POINTS**

**FY 2021 – Current Year.** The **agency** requests a revised estimate of \$1.5 million, including \$1.1 million from the State General Fund (SGF). This is an all funds decrease of \$198,136, or 11.8 percent, and an SGF decrease of \$45,000, or 3.9 percent, below the FY 2021 approved amount. The decrease is primarily attributed to decreases in salaries and wages and contractual services. The revised estimate includes 23.0 FTE positions, which is no change from the number approved by the 2020 Legislature.

The **Governor** concurs with the agency's FY 2021 revised estimate.

**FY 2022 – Budget Year.** The **agency** requests operating expenditures of \$1.6 million, including \$1.2 million SGF. This is an all funds increase of \$89,946, or 6.1 percent, and an SGF increase of \$50,313, or 4.6 percent, above the agency's FY 2021 revised estimate. The SGF

increase is primarily attributed to carrying forward the \$45,000 reappropriation. The all funds increase is primarily due to increases in salaries and wages, contractual services, and commodities. The agency's request includes 23.0 FTE positions, which is no change from the number included in the agency's FY 2021 revised estimate.

The **Governor** recommends FY 2022 operating expenditures totaling \$1.5 million, including \$1.1 million SGF. This is an all funds decrease of \$45,000, or 2.9 percent, and an SGF decrease of \$70,671, or 6.1 percent, below the agency's FY 2022 request. The all funds decrease is primarily due to a decrease in contractual services contained in the the agency's reduced resources budget. The Governor's recommendation includes 23.0 FTE positions, which is the same number included in the agency's FY 2022 request.

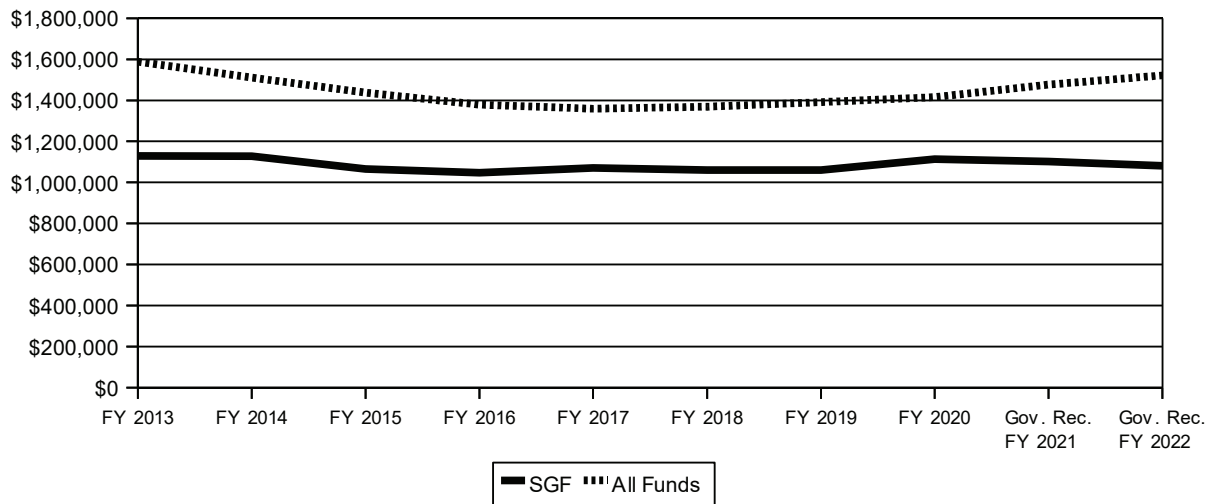
# PERFORMANCE MEASURES

The 2016 Legislature passed HB 2739, which outlined a three-year process for state agencies to develop and implement a system of performance budgeting using outcome measures to evaluate program effectiveness. Measures to evaluate agency-wide performance are presented below. Additional measures to evaluate specific programs appear in the relevant program sections.

PERFORMANCE MEASURES						
Measure	Actual FY 2018	Actual FY 2019	Gov. Rec. FY 2020	Actual FY 2020	Gov. Rec. FY 2021	Gov. Rec. FY 2022
Number of Public Contacts	4,531	4,142	4,500	3,550	3,700	4,100
Number of Complaints Filed	836	1,054	1,035	911	900	900
Number of People Trained through Educational Presentations	1,553	666	680	794	725	725
Case Processing Time (In Months)	9.1	10.0	9.6	8.3	8.2	8.1
Complaints Clearance Rate*	86.2 %	96.7 %	101.4 %	103.5 %	101.1 %	101.7 %
<b>Agency Expenditures</b>						
All Funds (Dollars in Millions)	\$ 1.4	\$ 1.4	\$ 1.6	\$ 1.4	\$ 1.5	\$ 1.5
FTE Positions	23.0	23.0	23.0	23.0	23.0	23.0
*Number of closed cases/Number of complaints filed						

# BUDGET TRENDS

## OPERATING EXPENDITURES FY 2013 – FY 2022



## OPERATING EXPENDITURES FY 2013 – FY 2022

Fiscal Year	SGF	% Change	All Funds	% Change	FTE
2013	\$ 1,128,863	(8.7)%	\$ 1,588,338	(4.0)%	23.0
2014	1,127,908	(0.1)	1,511,003	(4.9)	23.0
2015	1,064,562	(5.6)	1,437,714	(4.9)	23.0
2016	1,047,108	(1.6)	1,378,950	(4.1)	23.0
2017	1,070,447	2.2	1,359,081	(1.4)	23.0
2018	1,059,653	(1.0)	1,368,924	0.7	23.0
2019	1,059,688	0.0	1,391,071	1.6	23.0
2020	1,113,551	5.1	1,415,835	1.8	23.0
2021 Gov. Rec.	1,101,400	(1.1)	1,476,577	4.3	23.0
2022 Gov. Rec.	1,081,042	(1.8)	1,521,523	3.0	23.0
Ten-Year Change Dollars/Percent	\$ (47,821)	(4.2)%	\$ (66,815)	(4.2)%	0.0

**Summary of Operating Budget FY 2020 - FY 2022**

	Actual FY 2020	Agency Estimate				Governor's Recommendation			
		Estimate FY 2021	Request FY 2022	Dollar Change from FY 21	Percent Change from FY 21	Rec. FY 2021	Rec. FY 2022	Dollar Change from FY 21	Percent Change from FY 21
<b>By Program:</b>									
Administration	\$ 2,170	\$ 0	\$ 0	\$ 0	-- %	\$ 0	\$ 0	\$ 0	-- %
Compliance	1,404,765	1,473,236	1,544,561	71,325	4.8	1,473,236	1,499,561	26,325	1.8
Public Information	8,900	3,341	21,962	18,621	557.3	3,341	21,962	18,621	557.3
<b>TOTAL</b>	<b>\$ 1,415,835</b>	<b>\$ 1,476,577</b>	<b>\$ 1,566,523</b>	<b>\$ 89,946</b>	<b>6.1 %</b>	<b>\$ 1,476,577</b>	<b>\$ 1,521,523</b>	<b>\$ 44,946</b>	<b>3.0 %</b>
<b>By Major Object of Expenditure:</b>									
Salaries and Wages	\$ 983,052	\$ 1,014,704	\$ 1,027,546	\$ 12,842	1.3 %	\$ 1,014,704	\$ 1,027,546	\$ 12,842	1.3 %
Contractual Services	419,953	445,683	509,970	64,287	14.4	445,683	464,970	19,287	4.3
Commodities	8,877	9,091	24,946	15,855	174.4	9,091	24,946	15,855	174.4
Capital Outlay	3,953	7,099	4,061	(3,038)	(42.8)	7,099	4,061	(3,038)	(42.8)
Debt Service	0	0	0	0	--	0	0	0	--
<i>Subtotal - Operations</i>	<i>\$ 1,415,835</i>	<i>\$ 1,476,577</i>	<i>\$ 1,566,523</i>	<i>\$ 89,946</i>	<i>6.1 %</i>	<i>\$ 1,476,577</i>	<i>\$ 1,521,523</i>	<i>\$ 44,946</i>	<i>3.0 %</i>
Aid to Local Units	0	0	0	0	--	0	0	0	--
Other Assistance	0	0	0	0	--	0	0	0	--
<b>TOTAL</b>	<b>\$ 1,415,835</b>	<b>\$ 1,476,577</b>	<b>\$ 1,566,523</b>	<b>\$ 89,946</b>	<b>6.1 %</b>	<b>\$ 1,476,577</b>	<b>\$ 1,521,523</b>	<b>\$ 44,946</b>	<b>3.0 %</b>
<b>Financing:</b>									
State General Fund	\$ 1,113,551	\$ 1,101,400	\$ 1,151,713	\$ 50,313	4.6 %	\$ 1,101,400	\$ 1,081,042	\$ (20,358)	(1.8)%
Education and Training Fund	8,949	2,240	20,745	18,505	826.1	2,240	20,745	18,505	826.1
Employment Discrimination Fund	293,335	372,937	394,065	21,128	5.7	372,937	419,736	46,799	12.5
<b>TOTAL</b>	<b>\$ 1,415,835</b>	<b>\$ 1,476,577</b>	<b>\$ 1,566,523</b>	<b>\$ 89,946</b>	<b>6.1 %</b>	<b>\$ 1,476,577</b>	<b>\$ 1,521,523</b>	<b>\$ 44,946</b>	<b>3.0 %</b>

# BUDGET OVERVIEW

## A. FY 2021 – Current Year

### Adjustments to Approved State General Fund Budget

The 2020 Legislature approved an SGF budget of \$1,104,781 for the Kansas Human Rights Commission in FY 2021. Several adjustments have been made subsequently to that amount. These adjustments change the current year approved amount without any legislative action required. For this agency, the following adjustments have been made:

- An increase of \$45,635 based on the reappropriation of FY 2020 funding that was not spent in FY 2020 and has shifted to FY 2021; and
- A decrease of \$4,016 as the result of the Governor's July 1, 2020, SGF allotment.

These adjustments change the FY 2021 approved SGF amount to \$1,146,400. That amount is reflected in the table below as the currently approved FY 2021 SGF amount.

	<b>CHANGE FROM APPROVED BUDGET</b>				
	Legislative Approved FY 2021	Agency Estimate FY 2021	Agency Change from Approved	Governor Rec. FY 2021	Governor Change from Approved
State General Fund	\$ 1,146,400	\$ 1,101,400	\$ (45,000)	\$ 1,101,400	\$ (45,000)
All Other Funds	528,313	375,177	(153,136)	375,177	(153,136)
<b>TOTAL</b>	<b>\$ 1,674,713</b>	<b>\$ 1,476,577</b>	<b>\$ (198,136)</b>	<b>\$ 1,476,577</b>	<b>\$ (198,136)</b>
FTE Positions	23.0	23.0	0.0	23.0	0.0

The **agency** requests an FY 2021 revised estimate of \$1.5 million, including \$1.1 million SGF. This is an all funds decrease of \$198,136, or 11.8 percent, and an SGF decrease of \$45,000, or 3.9 percent, below the FY 2021 approved amount. The decrease is primarily attributed to decreases in salaries and wages and contractual services. The revised estimate includes 23.0 FTE positions, which is no change from the number approved by the 2020 Legislature.

Major categories of expenditure are detailed below:

- **Salaries and Wages.** The agency's revised estimate includes \$1.0 million, including \$641,767 SGF, in FY 2021. This is an all funds decrease of \$108,061, or 9.6 percent, and an SGF increase of \$17,499, or 2.8 percent, above the FY 2021 approved amount. The all funds decrease is primarily due to decreased expenditures for classified regular salaries (\$120,702), shrinkage (\$52,273), retirement contributions (\$6,170), and group health insurance (\$3,592). The decrease is partially offset by increased expenditures for unclassified regular salaries (\$75,748);



- Contractual Services.** The agency's revised estimate includes \$445,683, including \$443,443 SGF, in FY 2021. This is an all funds decrease of \$74,581, or 14.3 percent, and an SGF decrease of \$62,740, or 12.4 percent, below the FY 2021 approved amount. The all funds decrease is primarily due to decreased expenditures for computer programming (\$39,212); communication services (\$11,802); professional services, such as staffing and recruiting services (\$11,730); the state buildings operating charge (\$9,161); travel and subsistence (\$9,146); printing and advertising services and equipment rentals (\$8,208); and honorariums (\$5,214). The decrease is partially offset by increased expenditures for access database updates (\$14,870) and the state buildings capital charge (\$9,162);
- Commodities.** The agency's revised estimate includes \$9,091, all SGF, in FY 2021. This is an all funds decrease of \$18,038, or 66.5 percent, and an SGF decrease of \$2,303, or 20.2 percent, below the FY 2021 approved amount. The all funds decrease is primarily due to expenditures for food costs for the Employment Law Seminar (\$15,735), and data processing supplies (\$2,551); and
- Capital Outlay.** The agency's revised estimate includes \$7,099, all SGF, in FY 2021. This is an SGF increase of \$2,544, or 55.9 percent, above the FY 2021 approved amount. The SGF increase is primarily due to expenditures for microcomputer equipment (\$2,725) and software licenses (\$1,130). The increase is partially offset by decreased expenditures for office furniture (\$1,308).

The **Governor** concurs with the agency's FY 2021 revised estimate.

## Governor's Allotments

On June 29, 2020, the Governor announced SGF allotments or reductions for FY 2021 of \$374.5 million. Included in the Governor's allotted budget were \$146.7 million in human services caseload adjustments, \$79.3 million to delay the FY 2021 State Foundation Aid payment for K-12 Education, \$46.7 million in reductions due to a suspension of Kansas Public Employees Retirement System (KPERs) Death and Disability contributions, and \$101.8 million in other adjustments.

Allotments included in this document reduce the FY 2021 approved budget without any required Legislative approval and are included in the approved amounts in the table above. As it relates to this agency, the allotment adjustments totaled \$4,016. The allotments applied to this agency are detailed below:

GOVERNOR'S ALLOTMENTS			
Allotment	SGF	All Funds	FTE
July Allotment			
KPERs Death and Disability contributions	\$ (4,016)	\$ (4,016)	0.0

## B. FY 2022 – Budget Year

<b>FY 2022 OPERATING BUDGET SUMMARY</b>			
	Agency Request	Governor's Recommendation	Difference
<b>Total Request/Recommendation</b>	\$ 1,566,523	\$ 1,521,523	\$ (45,000)
<b>FTE Positions</b>	23.0	23.0	0.0
<b>Change from FY 2021:</b>			
<i>Dollar Change:</i>			
State General Fund	\$ 50,313	\$ (20,358)	
All Other Funds	39,633	65,304	
<b>TOTAL</b>	<b>\$ 89,946</b>	<b>\$ 44,946</b>	
<i>Percent Change:</i>			
State General Fund	4.6 %	(1.8) %	
All Other Funds	10.6	17.4	
<b>TOTAL</b>	<b>6.1 %</b>	<b>3.0 %</b>	
Change in FTE Positions	0.0	0.0	

The **agency** requests FY 2022 operating expenditures of \$1.6 million, including \$1.2 SGF. This is an all funds increase of \$89,946, or 6.1 percent, and an SGF increase of \$50,313, or 4.6 percent, above the agency's FY 2021 revised estimate. The SGF increase is primarily attributed to carrying forward the \$45,000 reappropriation for security upgrades to the Wichita office and for a database conversion from Microsoft Access to SharePoint. The all funds increase is primarily due to increases in salaries and wages, contractual services, and commodities. The agency's request includes 23.0 FTE positions, which is no change from the number included in the agency's FY 2021 revised estimate.

Major categories of expenditure are detailed below:

- **Salaries and Wages.** The agency's FY 2022 request includes \$1.0 million, including \$633,481 SGF. This is an all funds increase of \$12,842, or 1.3 percent, and an SGF decrease of \$8,286, or 1.3 percent, from the FY 2021 revised estimate. The all funds increase is primarily due to expenditures for retirement contributions (\$8,818) and group health insurance (\$6,337);
- **Contractual Services.** The agency's FY 2022 request includes \$509,970, including \$504,821 SGF. This is an all funds increase of \$64,287, or 14.4 percent, and an SGF increase of \$61,378, or 13.8 percent, above the FY 2021 revised estimate. The all funds increase is primarily due to expenditures for computer programming updates (\$70,655), security upgrades in the Wichita office (\$15,00), and rental equipment (\$2,878). The increase is partially offset by decreases in staffing and recruiting services (\$30,702);
- **Commodities.** The agency's FY 2022 request includes \$24,946, including \$9,350 SGF. This is an all funds increase of \$15,855, or 174.4 percent, and an SGF increase of \$259, or 2.8 percent, above the FY 2021 revised estimate. The

increase is primarily due to expenditures for food costs for the Employment Law Seminar (\$15,596); and

- **Capital Outlay.** The agency's FY 2022 request includes \$4,061, all SGF. This is an SGF decrease of \$3,038, or 42.8 percent, below the FY 2021 revised estimate. The decrease is primarily due to decreases in microcomputer equipment (\$2,725) and software licenses (\$314).

The **Governor** recommends FY 2022 operating expenditures totaling \$1.5 million, including \$1.1 million SGF. This is an all funds decrease of \$45,000, or 2.9 percent, and an SGF decrease \$70,671, or 6.1 percent, below the agency's FY 2022 request. The all funds and SGF decrease are primarily due to reductions in contractual services associated with the agency's reduced resources budget. .

### FY 2022 Reduced Resources

The Governor has requested that specified agencies with SGF moneys provide a reduced resources budget submission of 10.0 percent for FY 2022. The information below provides details of the agency's reduced resources budget submission for the SGF.

FY 2022 REDUCED RESOURCES						
Item	Agency Recommendation			Governor's Recommendation		
	SGF	All Funds	FTE	SGF	All Funds	FTE
Salaries and Wages	\$ (25,671)	\$ 0	0.0	\$ (25,671)	\$ 0	0.0
Wichita Office Security Upgrades	(15,000)	(15,000)	0.0	(15,000)	(15,000)	0.0
Website Development	(30,000)	(30,000)	0.0	(30,000)	(30,000)	0.0
Access Databases	(40,000)	(40,000)	0.0	0	0	0.0
Updates and SharePoint Costs						
<b>TOTAL</b>	<b>\$ (110,671)</b>	<b>\$ (85,000)</b>	<b>0.0</b>	<b>\$ (70,671)</b>	<b>\$ (45,000)</b>	<b>0.0</b>

The **agency** submits a FY 2022 reduced resources budget totaling \$110,671. Four projects make up the agency's reduced resources submission. Each project is detailed below:

- **Salaries and Wages.** The agency proposes to reduce SGF expenditures for salaries and wages by \$25,671 for FY 2022. In the alternative, the agency proposes to substitute \$25,671 from the U.S. Equal Employment Opportunity Commission (EEOC) federal fund for SGF to pay for salaries and wages. The agency states the funding substitution would allow the agency to continue operations without interruption. The agency notes that the reduction amount is approximately 45.0 percent of the cost of a Special Investigator I position for FY 2022. The agency further notes that without the corresponding increase in spending from the EEOC fund, there would be a reduction in complaints closed, an increase in processing time, and a loss of EEOC revenue;
- **Wichita Office Security Upgrades.** The agency proposes to reduce SGF expenditures for security updates in the Wichita office by \$15,000 for FY 2022. The security upgrade for the Wichita office was scheduled for FY 2020 at a cost

of \$10,548. The upgrade included a bulletproof window in the receptionist area and bulletproof panels in the lobby area. The agency noted the upgrades were postponed due to the COVID-19 pandemic. The agency carried forward the funds to FY 2021 and further prepared to reappropriate the funds to FY 2022. The agency estimates the security updates will cost \$15,000 for FY 2022;

- **Website Development.** The agency proposes to reduce SGF expenditures for website development by \$30,000 for FY 2022; and
- **Access Database Updates and Associated SharePoint Costs.** The agency proposes to reduce SGF expenditures for Access databases and SharePoint by \$40,000 for FY 2022. The agency received \$35,000 to convert its Microsoft Access databases to SharePoint in FY 2020. The agency states that this conversion was put on hold due to the COVID-19 pandemic. The agency carried forward the funds to FY 2021 and has prepared to reappropriate funds to FY 2022. The additional \$5,000 is the estimated cost of the associated Azure SharePoint hosting services for FY 2022.

The **Governor** recommends an FY 2022 reduced resources budget totaling \$45,000, including \$70,671 SGF. The recommendation includes three of the agency's proposed reduced resources items. The Governor recommends the following:

- **Salaries and Wages.** The Governor recommends an SGF reduction of \$25,671 for salaries and wages. The Governor recommends this SGF reduction be offset with federal funds to allow the agency to continue operations without interruption;
- **Wichita Office Security Upgrades.** The Governor recommends an SGF reduction of \$15,000 from eliminating planned security upgrades for the Wichita office;
- **Website Development.** The Governor recommends an SGF reduction of \$30,000 from eliminating upgrades to the agency's website; and
- **Access Database Updates and Associated SharePoint Costs.** The Governor recommends that \$40,000, all SGF, not be reduced for the agency's database upgrades.

## Governor's Recommended Salary and Wage Adjustments

**For FY 2022**, the Governor recommends adding \$31.5 million, including \$11.3 million SGF, for a 2.5 percent state employee base pay adjustment. The plan would increase salaries for classified and unclassified employees in the Executive Branch, Legislative Branch, and Judicial Branch. Legislative and elected officials would be excluded from this salary adjustment. The funds would be appropriated to and certified for distribution by the State Finance Council if approved. Employees of state universities are also not included in the proposed pay plan; however, the Governor recommends adding \$10.4 million, all SGF, to the university operating grants. This amount is equivalent to what the pay plan would have provided for university employees, but the funds are included in the Kansas Board of Regents budget for use at their discretion.

**Longevity Bonus Payments.** In FY 2021 and for FY 2022, the Governor recommends funding longevity bonus payments for eligible state employees at the statutory rate of \$40 per year of service, with a 10-year minimum (\$400) and a 25-year maximum (\$1,000). Classified employees hired after June 15, 2008, are not eligible for longevity bonus payments. The estimated cost for the recommended FY 2021 payment is \$3.0 million, including \$1.1 million SGF. For FY 2022, the estimated cost is \$3.1 million, including \$1.1 million SGF. **For this agency, FY 2021 longevity payments total \$6,440, including \$4,073 SGF, and FY 2022 longevity payments total \$6,680, including \$3,951 SGF.**

**Kansas Public Employees Retirement System (KPERs).** The employer retirement contribution rate, including Death and Disability contributions, for the KPERs State and School Group is scheduled to be 14.23 percent in FY 2021 and 15.09 percent for FY 2022. The FY 2021 rate excludes the 1.0 percent KPERs Death and Disability contribution that is currently subject to a moratorium described below.

The Governor recommends the KPERs State and School Group be reamortized. The current amortization period was set by the Legislature in 1993 for 40 years. The Governor proposes the new amortization be set for 25 years beginning in FY 2022, an extension of 10 years to the current plan. Reamortization would reduce employer contributions for the KPERs State and School Group in the short term. It is estimated that resetting the amortization period to 25 years could produce budget savings of \$177.3 million, including \$158.7 million SGF, for FY 2022. The Governor's recommendation would also incorporate \$25.8 million in KPERs layering payments into the amortization schedules. **No savings from this policy are currently included in this agency's budget.**

**KPERs Death and Disability Group Insurance Fund.** During FY 2021, a moratorium on employer contributions to the KPERs Death and Disability Group Insurance Fund was in effect. The fund had a sufficient balance to suspend payments on a temporary basis without affecting employee benefits. The moratorium was implemented *via* the Governor's allotment authority; therefore, the Legislative and Judicial branches are currently excluded from the moratorium. The total savings for the moratorium are estimated at \$46.7 million in contributions from the SGF. Included in this amount were savings of approximately \$40.3 million from KPERs School Group contributions in the Kansas State Department of Education budget. No similar moratorium is proposed for FY 2022, requiring the addition of \$46.7 million to annualize the payments for the full fiscal year.

## Funding Sources

Funding Source	Agency Req. Percent of Total FY 2022	Gov. Rec. Percent of Total FY 2022
State General Fund	73.5 %	71.0 %
Employment Discrimination Fund	25.2	27.6
Education and Training Fund	1.3	1.4
<b>TOTAL</b>	<b>100.0 %</b>	<b>100.0 %</b>

(Note: Totals may not add due to rounding.)

## Employment Discrimination Fund Analysis

The agency has the ability to receive and accept federal funds to carry out its agency functions, pursuant to KSA 10-1004. The agency enters into a contract with the federal Equal Employment Opportunity Commission (EEOC) each federal fiscal year for the processing and resolving of complaints jointly filed under Kansas statutes and federal regulations. The contract includes reimbursement for the receipt of complaints that fall under federal regulations but outside of the agency's jurisdiction. The agency receives \$800 for each case resolution and \$80 for the receipt and forwarding of complaints that fall under the EEOC's purview.

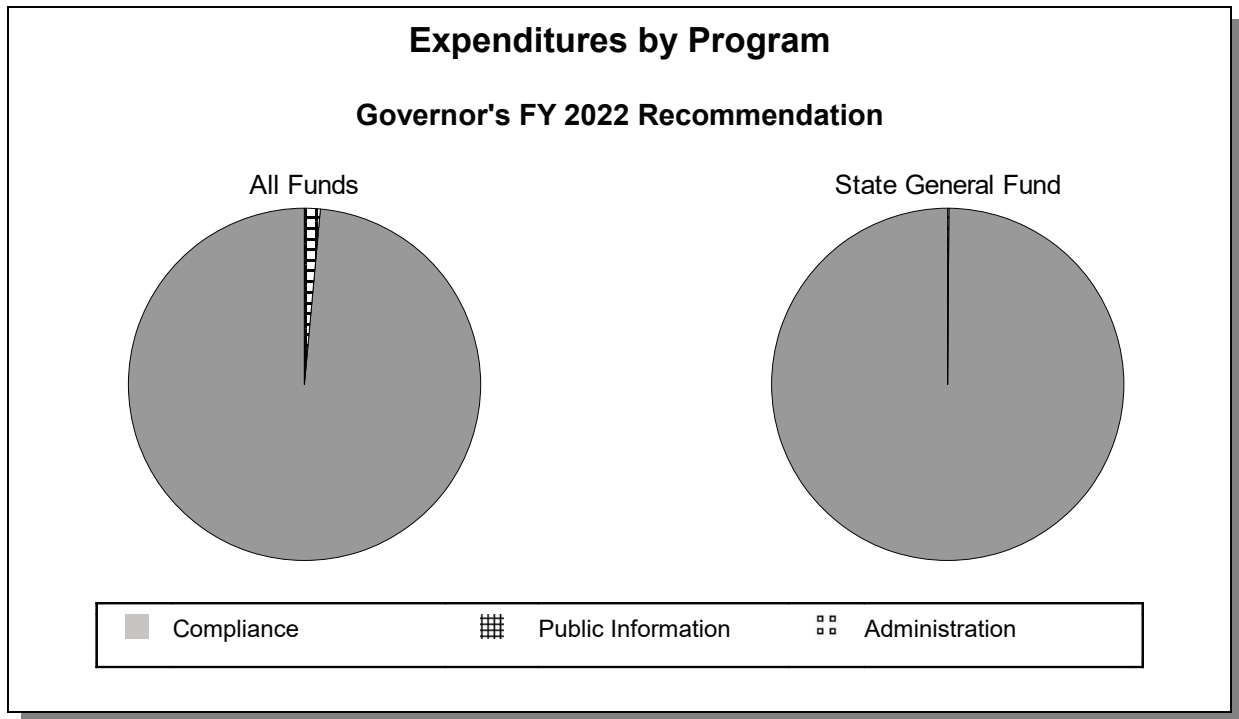
Resource Estimate	Actual FY 2020	Agency Estimate FY 2021	Gov. Rec. FY 2021	Agency Request FY 2022	Gov. Rec. FY 2022
Beginning Balance	\$ 327,919	\$ 435,604	\$ 435,604	\$ 452,547	\$ 452,547
Revenue	401,020	389,880	389,880	386,600	386,600
Transfers in	0	0	0	0	0
<b>Funds Available</b>	<b>\$ 728,939</b>	<b>\$ 825,484</b>	<b>\$ 825,484</b>	<b>\$ 839,147</b>	<b>\$ 839,147</b>
Less:					
Expenditures	\$ 293,335	\$ 372,937	\$ 372,937	\$ 394,065	\$ 419,736
Transfers Out	0	0	0	0	0
Off-Budget Expenditures	0	0	0	0	0
<b>Ending Balance</b>	<b>\$ 435,604</b>	<b>\$ 452,547</b>	<b>\$ 452,547</b>	<b>\$ 445,082</b>	<b>\$ 419,411</b>
Ending Balance as Percent of Expenditures	148.5%	121.3%	121.3%	112.9%	99.9%
Month Highest Ending Balance	December \$ 728,725	December \$ 868,943	December \$ 868,943	December \$ 854,609	December \$ 854,609
Month Lowest Ending Balance	November \$ 327,705	November \$ 452,325	November \$ 452,325	November \$ 444,864	June \$ 419,411

## Education and Training Fund Analysis

Revenues to the Education and Training Fund are generated by fees for copies and registration fees for the Annual Employment Law Seminar. Budgetary legislation for the current fiscal year authorizes the Executive Director to fix, charge, and collect fees in order to recover all or part of the operating expenses incurred for training programs. Expenditures from this program are limited to operating expenditures for the Commission's Education and Training programs for the general public.

Resource Estimate	Actual FY 2020	Agency Estimate FY 2021	Gov. Rec. FY 2021	Agency Request FY 2022	Gov. Rec. FY 2022
Beginning Balance	\$ 12,498	\$ 7,523	\$ 7,523	\$ 6,283	\$ 6,283
Revenue	3,974	1,000	1,000	22,250	22,250
Transfers in	0	0	0	0	0
<i>Funds Available</i>	<u>\$ 16,472</u>	<u>\$ 8,523</u>	<u>\$ 8,523</u>	<u>\$ 28,533</u>	<u>\$ 28,533</u>
Less:					
Expenditures	\$ 8,949	\$ 2,240	\$ 2,240	\$ 20,745	\$ 20,745
Transfers Out	0	0	0	0	0
Off-Budget Expenditures	0	0	0	0	0
<b>Ending Balance</b>	<b><u>\$ 7,523</u></b>	<b><u>\$ 6,283</u></b>	<b><u>\$ 6,283</u></b>	<b><u>\$ 7,788</u></b>	<b><u>\$ 7,788</u></b>
Ending Balance as Percent of Expenditures	84.1%	280.5%	280.5%	37.5%	37.5%
Month Highest Ending Balance	May <u>\$ 15,657</u>	May <u>\$ 8,523</u>	May <u>\$ 8,523</u>	May <u>\$ 28,533</u>	May <u>\$ 28,533</u>
Month Lowest Ending Balance	June \$ 7,523	June \$ 6,283	June \$ 6,283	July \$ 6,283	July \$ 6,283

# PROGRAM DETAIL



Program	Gov. Rec. All Funds FY 2022	Percent of Total	Gov. Rec. SGF FY 2022	Percent of Total
Administration	\$ 0	0.0 %	\$ 0	0.0 %
Compliance	1,499,561	98.6	1,079,802	99.9
Public Information	21,962	1.4	1,240	0.1
<b>TOTAL</b>	<b>\$ 1,521,523</b>	<b>100.0 %</b>	<b>\$ 1,081,042</b>	<b>100.0 %</b>

#### FTE POSITIONS BY PROGRAM FY 2020 – FY 2022

Program	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
Administration	0.0	0.0	0.0	0.0	0.0
Compliance	23.0	23.0	23.0	23.0	23.0
Public Information*	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>23.0</b>	<b>23.0</b>	<b>23.0</b>	<b>23.0</b>	<b>23.0</b>

(Note: For purposes of this analysis, full-time equivalent (FTE) positions include non-FTE permanent unclassified positions but continue to exclude temporary employees. FTE positions reflect permanent state positions equating to a 40-hour work week.)

\*Staff note: Salaries incurred for the Public Information program are charged to that program throughout the year via journal entries as the program has no FTE positions.)



## A. Compliance

The compliance program investigates and resolves complaints pertaining to discrimination in employment, housing, and public accommodations. Revenues are generated through a contractual relationship with the EEOC. The EEOC pays the Kansas Human Rights Commission (KHRC) a specified amount for each case resolved that falls under both federal and state jurisdiction, while KHRC pays a fee for all complaints KHRC receives that it refers to EEOC that only fall under federal jurisdiction. KHRC also may initiate a complaint and investigate when it concludes that a pattern and practice violation may be occurring.

PERFORMANCE MEASURES						
Measure	Actual FY 2018	Actual FY 2019	Gov. Rec. FY 2020	Actual FY 2020	Gov. Rec. FY 2021	Gov. Rec. FY 2022
Complaints Clearance Rate*	86.2 %	97.0 %	101.4 %	103.5 %	101.1 %	101.7 %
Number of Settlements Completed through Kansas Legal Services**	83	91	N/A	82	95	90
Percentage of Probable Cause Findings Resulting in Successful Conciliation**	30.8 %	15.4 %	N/A	80.0 %	20.0 %	20.0 %
<b>Agency Expenditures</b>						
All Funds (Dollars in Millions)	\$ 1.4	\$ 1.3	\$ 1.6	\$ 1.4	\$ 1.5	\$ 1.5
FTE Positions	23.0	23.0	23.0	23.0	23.0	23.0
*Number of closed cases/Number of complaints filed						
**The Governor's Office does not utilize this measure for evaluation purposes.						

COMPLIANCE SUMMARY OF EXPENDITURES FY 2020 – FY 2022					
Item	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
<b>Expenditures:</b>					
Salaries and Wages	\$ 975,052	\$ 1,014,704	\$ 1,014,704	\$ 1,027,546	\$ 1,027,546
Contractual Services	417,198	442,444	442,444	503,811	458,811
Commodities	8,645	8,989	8,989	9,143	9,143
Capital Outlay	3,870	7,099	7,099	4,061	4,061
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<u>\$ 1,404,765</u>	<u>\$ 1,473,236</u>	<u>\$ 1,473,236</u>	<u>\$ 1,544,561</u>	<u>\$ 1,499,561</u>
Aid to Local Units	0	0	0	0	0
Other Assistance	0	0	0	0	0
<b>TOTAL</b>	<b><u>\$ 1,404,765</u></b>	<b><u>\$ 1,473,236</u></b>	<b><u>\$ 1,473,236</u></b>	<b><u>\$ 1,544,561</u></b>	<b><u>\$ 1,499,561</u></b>
<b>Financing:</b>					
State General Fund	\$ 1,111,407	\$ 1,100,276	\$ 1,100,276	\$ 1,150,473	\$ 1,079,802
All Other Funds	293,358	372,960	372,960	394,088	419,759
<b>TOTAL</b>	<b><u>\$ 1,404,765</u></b>	<b><u>\$ 1,473,236</u></b>	<b><u>\$ 1,473,236</u></b>	<b><u>\$ 1,544,561</u></b>	<b><u>\$ 1,499,561</u></b>
FTE Positions	23.0	23.0	23.0	23.0	23.0

The **agency** requests a revised estimate in FY 2021 totaling \$1.5 million, including \$1.1 million SGF, for the Compliance program. This is an all funds decrease of \$130,037, or 8.1 percent, and an SGF decrease of \$2,835, or 0.3 percent, below the agency's FY 2021 approved

amount. The decrease from the FY 2021 approved amount is primarily attributable to decreases in salaries and wages, contractual services, and commodities. This is partially offset by an increase in capital outlay. The FY 2021 revised estimate includes 23.0 FTE positions, which is the same as the FY 2021 approved number.

Major categories of expenditure are detailed below:

- **Salaries and Wages.** The FY 2021 revised estimate includes \$1.0 million, including \$641,767 SGF. This is an all funds decrease of \$66,442, or 6.1 percent, and an SGF increase of \$59,118, or 10.1 percent, from the FY 2021 approved amount. The decrease is primarily due to shrinkage (\$52,273) and decreases in classified regular salaries (\$75,067), retirement contributions (\$10,186), and group health insurance (\$3,592). The decrease is partially offset by an increase in unclassified regular salaries (\$75,748);
- **Contractual Services.** The FY 2021 revised estimate includes \$442,444, including \$442,421 SGF. This is an all funds decrease of \$64,097, or 12.7 percent, and an SGF decrease of \$62,455, or 12.4 percent, below the FY 2021 approved amount. The decrease is primarily due to decreases in computer programming (\$39,200), communication services (\$11,719), state buildings operating charge (\$9,161), travel and subsistence (\$8,883), staffing and recruiting services (\$7,690), honorariums (\$5,214), and fees associated with the mediation program contracted through the mediation division at Kansas Legal Services (\$4,039). The decrease is partially offset by increased expenditures for access database updates (\$14,870) and the state buildings capital charge (\$9,162);
- **Commodities.** The FY 2021 revised estimate includes \$8,989, all SGF. This is an SGF decrease of \$2,042, or 18.5 percent, below the FY 2021 approved amount. The decrease is primarily due to a decrease in data processing supplies (\$2,551); and
- **Capital Outlay.** The FY 2021 revised estimate includes \$7,099, all SGF. This is an SGF increase of \$2,544, or 55.9 percent, above the FY 2021 approved amount. The increase is primarily due to expenditures for microcomputer equipment (\$2,725) and software licenses (\$1,130). The increase is partially offset by decreased expenditures for office furniture (\$1,308).

The **Governor** concurs with the agency's FY 2021 revised estimate for the Compliance program.

The **agency** requests expenditures for FY 2022 totaling \$1.5 million, including \$1.2 million SGF, for the Compliance program. This is an all funds increase of \$71,325, or 4.8 percent, and an SGF increase of \$50,197, or 4.6 percent, above the agency's FY 2021 revised estimate. The increase from the FY 2021 revised estimate is primarily attributable to an increase in salaries and wages, contractual services, and commodities. This is partially offset by a decrease in capital outlay expenditures. The FY 2022 request includes 23.0 FTE positions, which is the same as the number included in the FY 2021 revised estimate.

Major categories of expenditure are detailed below:

- **Salaries and Wages.** The FY 2022 request totals \$1,027,546, including \$633,481 SGF. This is an all funds increase of \$12,842, or 1.3 percent, and an SGF decrease of \$8,286, or 1.3 percent, from the agency's FY 2021 revised estimate. The all funds increase is primarily due to expenditures for retirement contributions (\$8,818) and group health insurance (\$6,337). The increase is partially offset by shrinkage in salaries and wages (\$2,630);
- **Contractual Services.** The FY 2022 request totals \$503,811, including \$503,788 SGF. This is an SGF increase of \$61,367, or 13.9 percent, above the agency's FY 2021 revised estimate. The increase is primarily due to expenditures for computer programming (\$70,655), security upgrades in the Wichita office (\$15,00), travel and subsistence (\$1,997), and other fees, such as access database updates and fees associated with the mediation program contracted through the mediation division at Kansas Legal Services (\$3,080). The increase is partially offset by decreases in staffing and recruiting services (\$30,702);
- **Commodities.** The FY 2022 request totals \$9,143, all SGF. This is an SGF increase of \$154, or 1.7 percent, above the agency's FY 2021 revised estimate. The increase is primarily due to increases in data processing supplies (\$71) and stationery and office supplies (\$68); and
- **Capital Outlay.** The FY 2022 request totals \$4,061, all SGF. This is an SGF decrease of \$3,038, or 42.8 percent, below the agency's FY 2021 revised estimate. The decrease is primarily due to decreases in microcomputer equipment (\$2,725) and software licenses (\$314).

The **Governor** recommends expenditures for FY 2022 totaling \$1.5 million, including \$1.1 million SGF, for the Compliance program. This is an all funds decrease of \$45,000, or 2.9 percent, and an SGF decrease of \$70,671, or 6.1 percent, below the agency's FY 2022 request. The all funds and SGF decreases are primarily due to a decrease in contractual services associated with the agency's reduced resources budget. The Governor's recommendation includes funding for 23.0 FTE positions, which is the same number included in the agency's FY 2022 request.

## ***B. Public Information***

This program is responsible for the dissemination of information to all segments of the public about the provisions of the Kansas Act Against Discrimination and the Kansas Age Discrimination in Employment Act. The Commission distributes informational materials and conducts seminars and workshops, which provide an overview of the laws against discrimination or a specific segment of laws. The agency conducts an annual Employment Law Seminar with anti-discrimination law experts presenting on a range of issues focused on human resources professionals, the legal community, and employers. The expenditures are primarily for meetings, including food, fees and rentals, and printing services.

PERFORMANCE MEASURES						
Measure	Actual FY 2018	Actual FY 2019	Gov. Rec. FY 2020	Actual FY 2020	Gov. Rec. FY 2021	Gov. Rec. FY 2022
Number of People Trained through Educational Presentations	1,553	666	680	794	725	725
Number of People Completing KHRC Online Training*	14,254	11,330	N/A	9,891	11,000	11,250
<b>Agency Expenditures</b>						
All Funds (Dollars in Thousands)	\$ 7.3	\$ 7.3	\$ 28.7	\$ 8.9	\$ 3.3	\$ 22.0
FTE Positions	0.0	0.0	0.0	0.0	0.0	0.0

\*The Governor's Office does not utilize this measure for evaluation purposes.

PUBLIC INFORMATION SUMMARY OF EXPENDITURES FY 2020 – FY 2022					
Item	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
<b>Expenditures:</b>					
Salaries and Wages	\$ 8,000	\$ 0	\$ 0	\$ 0	\$ 0
Contractual Services	900	3,239	3,239	6,159	6,159
Commodities	0	102	102	15,803	15,803
Capital Outlay	0	0	0	0	0
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<i>\$ 8,900</i>	<i>\$ 3,341</i>	<i>\$ 3,341</i>	<i>\$ 21,962</i>	<i>\$ 21,962</i>
Aid to Local Units	0	0	0	0	0
Other Assistance	0	0	0	0	0
<b>TOTAL</b>	<b>\$ 8,900</b>	<b>\$ 3,341</b>	<b>\$ 3,341</b>	<b>\$ 21,962</b>	<b>\$ 21,962</b>
<b>Financing:</b>					
State General Fund	\$ 0	\$ 1,124	\$ 1,124	\$ 1,240	\$ 1,240
All Other Funds	8,900	2,217	2,217	20,722	20,722
<b>TOTAL</b>	<b>\$ 8,900</b>	<b>\$ 3,341</b>	<b>\$ 3,341</b>	<b>\$ 21,962</b>	<b>\$ 21,962</b>
FTE Positions	0.0	0.0	0.0	0.0	0.0

The **agency** requests an FY 2021 revised estimate of \$3,341, including \$1,124 SGF. This is an all funds decrease of \$26,480, or 88.8 percent, and an SGF decrease of \$546, or 32.7 percent, below the approved amount. (Note: Salaries incurred for the Public Information program are charged to that program throughout the year *via* journal entries, as the program has no FTE positions.) The decrease from the FY 2021 approved amount is primarily attributable to a decrease in contractual services and commodities for expenditures related to the Employment Law Seminar, which the agency is planning to provide virtually in FY 2021.

Major categories of expenditures are detailed below:

- **Contractual Services.** The FY 2021 revised estimate includes \$3,239, including \$1,022 SGF. This is an all funds decrease of \$10,484, or 76.4 percent, and an SGF decrease of \$285, or 21.8 percent, below the FY 2021 approved amount. The all funds decrease is primarily due to decreases in printing and advertising services (\$7,058) and equipment rentals (\$2,903); and

- **Commodities.** The FY 2021 revised estimate includes \$102, all SGF. This is an all funds decrease of \$15,996, or 99.4 percent, and an SGF decrease of \$261, or 71.9 percent, below the FY 2021 approved amount. The all funds decrease is primarily due to a decrease in food for the Employment Law Seminar, which the agency is planning to provide virtually (\$15,735).

The **Governor** concurs with the agency's FY 2021 revised estimate.

The **agency** requests expenditures for FY 2022 totaling \$21,962, including \$1,240 SGF. This is an all funds increase of \$18,621, or 557.3 percent, and an SGF increase of \$116, or 10.3 percent, above the approved amount. The increase from the FY 2021 approved amount is primarily attributable to an increase in contractual services and commodities.

Major categories of expenditures are detailed below:

- **Contractual Services.** The FY 2022 request totals \$6,159, including \$1,033 SGF. This is an all funds increase of \$2,920, or 90.2 percent, and an SGF increase of \$11, or 1.1 percent, above the agency's FY 2021 revised estimate. The increase is primarily due to expenditures for rental equipment (\$2,878); and
- **Commodities.** The FY 2022 request totals \$15,803, including \$207 SGF. This is an all funds increase of \$15,701, or 15,393.1 percent, and an SGF increase of \$105, or 102.9 percent, above the agency's FY 2021 revised estimate. The increase is primarily due to expenditures for food associated with the Employment Law Seminar being held in-person (\$15,596).

The **Governor** concurs with the agency's FY 2022 request.