

MINUTES OF THE HOUSE HIGHER EDUCATION COMMITTEE

The meeting was called to order by Chairman Tom Sloan at 3:30 P.M. on February 7, 2005 in Room 231-N of the Capitol.

All members were present.

Committee staff present:

Mary Galligan, Kansas Legislative Research Department
Deb Hollon, Kansas Legislative Research Department
Art Griggs, Office of the Revisor
Linda Reed, Committee Secretary

Conferees appearing before the committee: Reginald L. Robinson, President and CEO, Kansas Board of Regents;
Robert Hemenway, KU Chancellor;
David Shulenburger, EVA and KU Provost;
Mike Auchard, KU Classified Employee, and
Andy Sanchez, Executive Director Kansas Association of Public Employees.

Others attending:

See attached list.

The meeting was called to order by Chairman Sloan who opened the hearing on:

HB 2020: Authorizing the conversion of classified employees to unclassified employees at state universities.

Chairman Sloan welcomed Reginald L. Robinson, President and CEO, Kansas Board of Regents. Mr. Robinson testified as a proponent for **HB 2020**, stating that passage of this bill would allow the Board of Regents to convert classified, civil service employee positions to unclassified, university support staff positions. This statutory change would allow each university to determine the cost and benefit based on their specific circumstances. (Attachment 1)

Robert Hemenway, Chancellor of Kansas State University testified in favor of the bill. Mr. Hemenway gave testimony regarding the classified staff at the university and their interest in the bill. Mr. Hemenway acknowledged that passage of this bill would enable participating universities to better fulfill their mission, while leveraging state funds to the best advantage with a high degree of accountability, with no new costs to the State. (Attachment 2)

Chancellor Hemenway responded to questions asked by the committee.

David Shulenburger, EVC and Provost of Kansas University testified that the civil service system has done a good job creating fairness in state offices, but has not been effective for other purposes. Mr. Shulenburger indicated that this bill would preserve the best attributes of the civil service system, and address disadvantages that are important to universities. (Attachment 3) Mr. Shulenburger stated that this bill is very similar to the bill passed some years ago when a crisis occurred at the KU Medical Center concerning salaries for nurses and other healthcare workers. The rigid, centrally imposed salaries for these high-demand workers were too meager to attract good candidates, threatening the Hospital's ability to function.

Chairman Sloan welcomed Mike Auchard, KU Classified Employee. Mr. Auchard stated that **HB 2020**, would enable Regents System Universities to remove their classified employees from the State Civil Service System and place them under the administration of the universities and the Board of Regents. Under this legislation, no Regents' university would be required to participate in the conversion, but would have the option to do so if the institutions so chose, with the approval of the Regents. (Attachment 3)

The final conferee was Andy Sanchez, Executive Director Kansas Association of Public Employees. Mr. Sanchez spoke in opposition of the bill, conveying KAPE's three major points of concern. Mr. Sanchez

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indicated that changing the classification to unclassified would weaken the condition of employment; would strip the employees of civil service rights, making them at will employees; and would invite abuse in the managing of the State work force. (Attachment 4) Mr. Sanchez also furnished information to the committee of agency turnover for the year 2004. (Attachment 5)

Chairman Sloan opened the floor to questions.

Representative Storm asked Dr. Shulenburg for clarification of all or partial conversion of classified staff employees.

Representative Huff asked Mr. Sanchez to state the reasons for employee's resistance to convert to unclassified. Mr. Sanchez cited employees fear of preferential treatment, employees being required to do more with less, and possible layoffs.

Representative Menghini asked Dr. Schulenburg to elaborate on the employee dispute resolution process within the University and the Board of Regents. Dr. Schulenburg indicated that the board sets the parameters with the university developing a staff handbook that specifies very specific procedures for all matters. When resolutions can not be reached, cases are moved to the courts.

Representative Horst questioned Mr. Robinson regarding negotiation and distribution of pay at the universities.

Mr. Robinson stated to the committee that this bill is not imposed to create a Regents civil service system, it is a decentralization of the management for classified staff currently on university campuses.

Representative Carlin questioned Mr. Robinson regarding concerns about the legislation voiced by some employees at Kansas State. Representative Carlin expressed her concerns for Kansas State to Mr. Robinson asking if he would be opposed to inserting language that there be a vote by its employees at each University.

The Chairman asked Mr. Robinson if instead of inserting language that would require a vote or some other affirmation, that language authorizing the rules and regulations be inserted allowing the board to establish a process by which proposals will be brought forth. Mr. Robinson agreed.

Chairman Sloan asked Mr. Sanchez to provide to the Committee the position of KAPE on the bill related to the KU Medical Center previously referenced. Chairman Sloan also asked Mr. Sanchez to provide to the committee recommendations on how this bill might be amended to address some of the concerns of KAPE, while still allowing the university and its employees to move forward. Mr. Sanchez indicated that they are open and willing to talk about issues.

With no further questions by the Committee, Chairman Sloan closed the hearing on **HB 2020**.

The Chairman indicated that due to time constraints **HB 2065** and **HB 2072** would be worked Wednesday, February 9, 2005.

The meeting was adjourned at 5:25 p.m.

The next meeting is scheduled for February 9, 2005 at 3:30 p.m. in Rm. 231-N.