

February 2, 2012

The Honorable Anthony Brown, Chairperson
House Committee on Commerce and Economic Development
Statehouse, Room 151-S
Topeka, Kansas 66612

Dear Representative Brown:

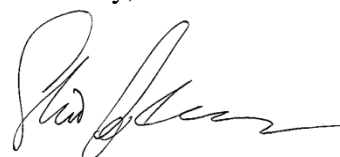
SUBJECT: Fiscal Note for HB 2541 by House Committee on Children and Families

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2541 is respectfully submitted to your committee.

HB 2541 would require employers with 50 or more employees to allow parents up to 30 hours per academic year for attendance at school-related educational activities. This hourly requirement would not take into account emergencies and conferences required by the school's administration. The bill does not define "school-related educational activities." The bill does clarify that the leave may be unpaid, at the discretion of the employer, and may be taken at a time mutually agreed upon by the employer and employee in hourly increments. Employers may require documentation for verification of the activities. Collective bargaining agreements may supersede this bill's provisions for similar protections and leave policies.

The Department of Administration explains that the state as an employer would have the option to make the leave unpaid or to allow employees to use accrued leave. Neither of these options would result in a fiscal effect to state agencies other than lost productivity. However, the agency does explain that because the bill requires the leave to be taken in one-hour increments, making the leave unpaid for employees who are considered exempt under the Fair Labor Standards Act (FLSA) creates challenges for the state as an employer that must comply with FLSA. Such employees may not take unpaid leave in less than full day increments. Some programming and testing within the state's payroll system may be required, depending on how this new type of leave may be administered. Any costs for this would be considered negligible.

Sincerely,



Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Marilyn Jacobson, Administration
Kathie Sparks, Department of Labor