

SESSION OF 2015

SUPPLEMENTAL NOTE ON SENATE BILL NO. 136

As Amended by Senate Committee of the Whole

Brief*

SB 136, as amended, would revise the Professional Negotiations Act (PNA) to provide that upon entering negotiations, the parties must negotiate compensation of professional employees and hours and amounts of work. The bill would define compensation as salary and wages, supplemental contract salaries, and overtime pay. Further, each party could select up to three additional terms and conditions of professional service from among those listed in the PNA's definition of "terms and conditions of professional service." All other items included in the definition would be permissive topics for negotiation if the parties mutually agreed to discuss them. These provisions would not apply to the negotiations of a first-time agreement between a board of education and professional employees' organization.

The bill would require the individuals selected to conduct negotiations by the board of education and the professional employees' organization to complete training on conducting negotiations each year. The content and format of this training would be determined by the respective party each individual represents in negotiations.

Finally, the bill would change the deadline for filing notice to negotiate on new items or to amend an existing contract from February 1 to March 31 and the "statutory declaration of impasse date" from June 1 to July 31.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

In the Senate Education Committee, a representative appeared in support of the bill on behalf of United School Administrators of Kansas, Kansas School Superintendents Association, Kansas National Education Association, and the Kansas Association of School Boards. The representative stated the bill represents the efforts of those organizations to come to a compromise on how to make collective bargaining more effective, efficient, and focused and less contentious. A member of the Topeka School Board also appeared in support of the bill. There was no neutral or opponent testimony.

The Senate Committee agreed to amend the definition of “terms and conditions of professional service,” narrowing it to mean only salaries and wages, including pay for duties under supplemental contracts; hours and amounts of work; and such other matters as the parties mutually agree upon as properly related to professional services, including but not limited to employment incentive or retention bonuses. The Senate Committee also agreed to strike language that would have allowed each party to select for negotiation up to five additional terms and conditions of professional service from among those listed in the PNA’s definition of “terms and conditions of professional service.”

The Senate Committee of the whole agreed to add “hours and amounts of work” to the list of items required to be negotiated; restore language removed by the Senate Committee; and, in the restored language, change from five to three the number of additional terms and conditions each party could select from among those listed in the PNA’s definition of “terms and conditions of professional service.”

The fiscal note prepared by the Division of the Budget indicates the bill, as introduced, would have no fiscal effect on state expenditures or revenues.