

Testimony on House Bill 2627
An act concerning certain deductions from wages authorized.
Terry Forsyth, Chairman
Working Kansas Alliance

Chairman Brown and members of the Committee,

Thank you for allowing me to submit testimony on behalf of the Working Kansas Alliance. The Working Kansas Alliance opposes the passage of House Bill 2627 as written because there are absolutely no protections for the employee within the new language of this bill.

The Committee should be aware of the fact that the Fair Labor Standards Act expressly expressly forbids an employer from reducing a employee's wages below minimum wage or reducing overtime compensation for uniforms or any other tools or equipment required by an employer. Minimum wage is minimum wage and it is completely unnecessary to put employers in a position to violate it.

With regard to purposes (1) and (2) House Bill 2627 as written allows an employer to make addition deductions from an employees wages for overpayment without any notice and without any limits.

From some workers living paycheck to paycheck this could have a dramatic impact on their ability to make ends meet. Without some requirement that the employer communicate with the employee about the situation in advance House Bill 2627 is completely without balance in the employer-employee relationship.

Not only does House Bill 2627 allow employers to deduct wages without notice or discussion, there is no time limit on this. It appears that many months or even years after an overpayment an employer would be able to - again without any notice or consent of the employee - begin taking earned wages out of an employee's paycheck.

Furthermore there is no provision for making the deductions over a period of time in the event that the total amount of the deduction is a substantial portion of the employees wages.

With regard to the fourth purpose (lines 27-30) for wage deductions allowed by this legislation, this condition too is written to be completely one-sided. Employers appear able to assign responsibility without any input from an employee. Again, nothing in the legislation would appear to prevent an employer from holding an employee responsible for losses or shortage months or years after the fact.

For these reasons, the Working Kansas Alliance opposes House Bill 2627.