



Kimberly Vogelsberg, Kansas NEA Staff Attorney

Kimberly.vogelsberg@knea.org

Oral Testimony; Opponent

House Bill 2411 - *Authorizing local boards of education to choose which professional employees' organization to recognize as the exclusive bargaining unit for negotiations conducted under the professional negotiations act.*

House K-12 Education Budget Committee

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The Kansas National Education Association (“KNEA”) opposes HB 2411 because of the harm it inflicts on Kansas citizens and public schools.

Currently, and for the past 50 years, the Professional Negotiations Act (“PNA”) has set forth the procedure in which a professional employees’ organization is recognized by a board of education to be the exclusive bargaining representative for the board’s professional employees. To become the bargaining representative, the PNA requires majority support of the board’s professional employees. *See K.S.A. 72-2221 through K.S.A. 72-2224.* Once recognized, the bargaining representative negotiates the terms and conditions of employment for all the board’s professional employees until another organization demonstrates majority support.

The power of being the exclusive representative is balanced, or checked, by the ability of the professional employees to replace the exclusive bargaining representative with another representative of their own choosing through an election. To maintain the position of the exclusive bargaining representative, therefore, the recognized representative must be mindful of the will of all of the board’s professional employees—not just that organization’s members. Without such majority support, the bargaining representative and, consequently, the board, will have no idea of what working conditions are necessary for the board’s professional employees to remain in that district.

HB 2411 strips this democratic process from the PNA and removes this important check and balance. HB 2411 does not allow professional employees to elect their own exclusive representative. Instead, the board of education hand-selects the exclusive bargaining representative. If teachers and other professional employees in the bargaining unit are unhappy with this choice, HB 2411 provides no remedy for the democratic choice of the bargaining unit to override the discretion of the board. If HB 2411 is passed, a bargaining unit of 100 educators could be represented by a person or organization that has the support of only one educator. And, that board-selected representative has no incentive to work to gain the approval of the rest of the unit.

It is inherently unfair and undemocratic to force professional employees to be exclusively represented by a representative that the board selects. The governor does not select the members of the Legislature based on whom she would prefer to work. Legislators are selected by a majority of those they represent.



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Why should teachers be represented by an organization selected by a board of education? The hand-picked representative must only work to keep the board happy to keep the exclusive bargaining power; there is no check or balance that incentivizes the representative to represent the will of the rest of the unit.

Not only is it not democratic, but it hurts Kansas schools and Kansas students. Teachers and professional educators are the experts in public education. By permitting a board to negotiate with a bargaining representative that does not represent the will of its professional employees, Kansas schools will suffer. Kansas already struggles to retain quality teachers through retirement. HB 2411 provides yet another reason for educators to leave the profession.

In summary, KNEA opposes HB 2411. Kansas teachers would lose their democratic voice in bargaining and negotiations and, as a result, Kansas students would suffer.

KNEA supports public education and consequently opposes HB 2411.