



Kansas State Council
Society for Human Resource Management
2014 Legislative Position Statements

Alternative Dispute Resolution

Kansas SHRM State Council (KS-SHRM) supports the use of voluntary alternative dispute resolution systems to settle employee complaints. To that end, KS-SHRM strongly encourages the establishment of dispute resolution procedures that provide employees a process which is accessible, prompt and impartial plus results in reduced dispute resolution costs and more timely resolution of complaints as an alternative to costly litigation.

KS-SHRM strongly encourages state legislative and regulatory changes that will allow the use of internal alternative dispute resolution procedures as the final means of dispute resolution, provided those systems meet certain standards of fairness and provide the employee with due process. Standards of fairness should include accessibility, the opportunity for hearing before one or more neutral, impartial decision-makers, the opportunity to participate in the selection of the decision-makers, participation by the employee in assuming some portion of the costs of the dispute resolution process; the opportunity to recover the same remedies available to the employee through litigation, and confidentiality of proceedings. This will allow employers and employees to resolve disputes in a fair, balanced, and timely manner without burdening governmental administrative processes or creating the need to resort to private litigation.

Fair Employment Practices

Kansas SHRM State Council (KS-SHRM) is committed to encouraging fair employment practices in the recruiting, hiring, training, compensation, benefits, promotion, transfer, disciplining, and termination of workers. Employment decisions should be made on the basis of one's job qualifications such as education, and experience and demonstrated competence, not on the basis of non-job related characteristics. KS-SHRM believes that employers have a responsibility to create a work environment free from all forms of discrimination including harassment. KS-SHRM opposes proposals that would open doors to further employment litigation, increased punitive damage awards, and create a new right to jury trials. Employers who make employment decisions in a non-

discriminatory manner, based on sound business judgment and necessity, should be free from frivolous challenges.

Health Care

Kansas SHRM State Council (KS-SHRM) believes every American citizen should have access to a basic core of health care services. This coverage may be achieved in different ways and at different levels, but any approach to health care reform must offer affordable access to care for all Kansans. KS-SHRM believes that any health care reform effort should be based on a model that has built-in incentives to balance both quality and cost efficiencies. As part of the efforts to control rising costs, purchasers and individuals must have access to important health information to be informed consumers of health care and take an active role in the purchase of their care.

Immigration

Kansas SHRM State Council (KS-SHRM) recognizes the ultimate solution to the Immigration issues lies at the Federal level with the U.S. Congress. Imposition of state law requirements inconsistent with other state laws and with federal law make it impossible for a business or employer to comply with all the requirements at the same time. KS-SHRM would support a workable immigration policy that respects the dignity of the individual and meets the workforce needs of Kansas's economy. KS-SHRM favors the creation of an immigration system that functions efficiently for employers, workers, and government agencies. KS-SHRM opposes legislation that seeks to transfer the role of verifying immigration status from the government to employers, which would otherwise place the burden of proof on businesses. KS-SHRM opposes legislation that would result in increased costs and burdensome enforcement requirements on employers.

Unemployment Benefits

Kansas SHRM State Council (KS-SHRM) supports the underlying purpose of unemployment benefits to provide limited compensation to individuals who are able, available, and willing to work, but cannot, despite their best efforts, obtain employment. KS-SHRM opposes legislation that expands benefits beyond this core component, provides deference to employees with regard to their qualification for benefits, and permits inconsistent determinations by the Kansas Department of Labor. KS-SHRM supports legislation that takes appropriate steps to distribute the financial burden of the unemployment insurance fund in accordance with proportionate usage of the fund while providing companies with consistency in their applicable rates. KS-SHRM further supports legislation that allows for faster and more efficient handling of unemployment claims.

Workers' Compensation

Kansas SHRM State Council (KS-SHRM) supports the premise that the workers' compensation system should serve as exclusive remedy for workers injured on the job. KS-SHRM is concerned about the increasing medical costs and the number of benefits claims. KS-SHRM believes legislation is crucial to reduce burdensome paperwork for employers, promote efficiencies in returning claimants to work, and to weed out fraud. KS-SHRM supports proposals to allow for faster and more efficient handling of workers' compensation claims. KS-SHRM also supports enforcing the "preexisting condition" regulations adopted in Kansas.

Workplace Health, Safety and Security

Kansas SHRM State Council (KS-SHRM) believes that every employee is entitled to a safe and healthful work environment. KS-SHRM believes that employers have a responsibility to provide a safe workplace and protect employees from threats or acts of violence to the best of their ability. In this regard, KS-SHRM supports policies that give employers additional tools in preventing workplace violence to ensure the safety and security of all employees and of workplace property.

Thus, KS-SHRM would support legislation that gives employers the option of protecting the employers' premises, including parking lots, to minimize the opportunity for violent incidents in the workplace. The early intervention allowed by such legislation may help curb workplace violence before it occurs, thereby making the workplace safer not just for the victim, but for all co-workers.



For any questions, please contact:

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