

February 4, 2015

The Honorable John Barker, Chairperson
House Committee on Judiciary
Statehouse, Room 149-S
Topeka, Kansas 66612

Dear Representative Barker:

SUBJECT: Fiscal Note for HB 2151 by House Committee on Appropriations

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2151 is respectfully submitted to your committee.

HB 2151 would require each state agency to adopt a policy to prohibit workplace bullying. The policy would be required to include a mechanism for reporting and correcting workplace bullying; protections for individuals reporting workplace bullying; a defined progressive discipline policy to apply to repeat offenders; and a requirement for annual reporting to the Division of Personnel Services of the Department of Administration and the Department of Labor. The Division of Personnel Services, in corporation with the Department of Labor, would be required to draft and make sample polices available.

State agencies and state employees could not retaliate in any manner against a state employee who has reported any unlawful employment practice or who has participated in any manner in any investigation. State agencies would be required to exercise reasonable care to prevent and correct promptly any bullying behavior and provide a safe working environment by having preventative measures in place and by dealing immediately with threatening or potentially violent situations. All state employees would be required to treat other state employees with dignity and respect and could not engage in any threatening, violent, intimidating, or other abusive conduct or behaviors. Several terms are defined as specified in the bill.

The Department of Administration indicates the state has professional conduct and workplace violence polices and all state agencies are currently required to maintain grievance polices that address numerous aspects of employee conduct. The Department notes the requirements of HB 2151 are very specific and establish new or different definitions of certain actions that are currently addressed within existing grievance polices. According to the Department, enactment of the bill would result in additional staff time spent on drafting polices, training, and administering and enforcing polices. Because several of the definitions are new or different from current polices, this could result in multiple grievances or even legal actions.

The Honorable John Barker, Chairperson
February 4, 2015
Page 2—HB 2151

Any fiscal effect associated with HB 2151 is not reflected in *The FY 2016 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a horizontal line extending to the right.

Shawn Sullivan,
Director of the Budget

cc: Pam Fink, DofA