

BEFORE THE PUBLIC EMPLOYEE RELATIONS BOARD  
OF THE STATE OF KANSAS

Roy Hawks, )  
 )  
 Petitioner, )  
 v. ) Case No. 75-CAE-11-1997  
 )  
 Shawnee County (Youth Center), )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

INITIAL ORDER

COMES NOW on for consideration by the presiding officer, Susan L. Hazlett, Respondent's pleadings and request for dismissal therein. The petition in this matter was filed pro se on February 14, 1997. Respondent's Answer was filed by and through counsel, Sandra Jacquot, on March 19, 1997.

The presiding officer, after being duly advised of the premises, hereby finds:

1) that Petitioner states as the basis of his complaint:

Present salary does not reflect correct rate of pay (lower rate of pay) for county seniority per Union (collective bargaining agreement/county policy) 1990 to present.

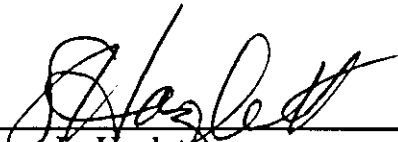
2) that the complaint in this matter fails to allege one or more prohibited practices, or facts in support thereof, within the meaning of K.S.A. 75-4333, and Petitioner has failed to state a claim upon which relief can be granted under the Public Employer-Employee Relations Act (PEERA);

3) that the Public Employee Relations Board (PERB) has no authority to enforce contracts or to sanction for alleged contract violations; and

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4) that this case should be and is hereby dismissed for the aforesated reasons.

**IT IS SO ORDERED** on this 1st day of May, 1997.

  
\_\_\_\_\_  
Susan L. Hazlett  
Presiding Officer  
Public Employee Relations Board  
1430 S.W. Topeka Blvd., 3rd Floor  
Topeka, Kansas 66612-1853

#### **NOTICE OF RIGHT TO REVIEW**

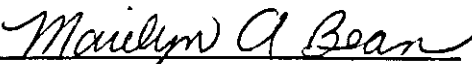
This Initial Order is the official notice of the presiding officer's decision in this case. The Initial Order may be reviewed by the Public Employee Relations Board, either on its own motion, or at the request of a party, pursuant to K.S.A. 77-527. This Order will become final fifteen (15) days from the date of service, plus three (3) days for mailing, unless a Petition for Review is filed pursuant to K.S.A. 77-526 within that time with the Public Employee Relations Board, addressed to: Kansas Department of Human Resources, Public Employee Relations Board, 1430 S.W. Topeka Blvd., 3rd Floor, Topeka, Kansas, 66612.

#### **CERTIFICATE OF SERVICE**

I, Marilyn A. Bean, Office Specialist, Public Employee Relations Board and Labor Relations Section of the Kansas Department of Human Resources, hereby certify that on the 1st day of May, 1997, a true and correct copy of the above and foregoing Initial Order was deposited in the U.S. Mail, first class, postage prepaid, addressed to:

Roy Hawks  
103 W. David  
Carbondale, Kansas 66414  
Petitioner

Sandra L. Jacquot  
Shawnee County Counselor  
Office of County Counselor  
200 SW 7th St Ste 100  
Topeka, Kansas 66603-3932  
Attorney for Respondent

  
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Marilyn A. Bean