## BEFORE THE KANSAS PUBLIC EMPLOYEE RELATIONS BOARD

Kansas Organization of	)
State Employees (KOSE),	)
	)
Petitioner,	)
v.	) Case No. 75-UCA-2a-2009
Kansas Department of Administration (D of A) and	) Administrative Professional Unit
Kansas Department of Corrections (KDOC),	) Statewide Realigned Unit #5
	)
Respondent.	)

# **ORDER TO AMEND**

Now, on this 31 day of **December**, 2008 the above-captioned matter came on for consideration before the Executive Director for the Public Employee Relations Board.

This petition for Unit Clarification or Amendment submitted by the Kansas Organization of State Employees (KOSE) has the effect of modifying the Maintenance, Trades and Technical unit #1 and the Administrative Professional unit #5 of the state's realigned units as order by the Public Employee Relations Board (PERB) in case No. 75-UD-1-2007. Specifically, the petitioner seeks to remove the position classification of Correctional Industry Manager from the Administrative Professional unit and place those positions into the Maintenance, Trades and Technical unit. The petition also seeks to add the position classification of Facilities Maintenance Supervisor to the Maintenance,

75-UCA-2a-2009 (KOSE, D of A and KDOC) Page 2

Trades and Technical unit, because incumbents in this classification assigned to correctional facilities primarily supervise inmates and do not supervise state employees in regular positions.

Pursuant to the mutual agreement of the parties, KOSE, D of A and KDOC and there being no statutory violations in the proposed amendment, it is hereby ordered that the classification of Correctional Industry Manager be removed from the Administrative Professional unit. The amendment of the Maintenance, Trades and Technical unit will be addressed in a separate order.

As determined appropriate by the PERB in case No. 75-UD-1-2007, the unit parameters for the Administrative Professional unit are as follows:

**INCLUDE:** Employees included in this unit shall be in classified and/or unclassified job titles and in full-time or part-time regular positions with similar or like job classifications or functions.

**EXCLUDE:** Employees excluded from this unit shall be all confidential, managerial, supervisory, temporary and original appointment probationary status employees, elected officials and positions in Regents Institutions.

Positions specified by class title, job code, agency and classified or unclassified position status that are found to be appropriate to this unit are attached hereto and made a part hereof.

IT IS SO ORDERED this 3/ st day of Duenter, 2008.

Public Employee Relations Board 401 SW Topeka Blvd.

Topeka, KS 66603-3182

The mutual agreement of the parties to the proposed unit clarification or amendment is attested to by their representatives as follows:

Adam Schowalter

**KOSE** 

1301 SW Topeka Blvd. Topeka, Kansas 66612 Allison Burghart

Department of Administration 900 SW Jackson, Room 107 Topeka, Kansas 66612

Fred W. Phelps, Jr., #09298

Legal Counsel

Kansas Department of Corrections

900 S.W. Jackson, 4th Floor

Topeka, Kansas 66612

### RIGHT TO REQUEST HEARING

This is a summary proceeding pursuant to K.S.A. 77-537. A party may request a hearing on the order by filing a request with the presiding officer within fifteen (15) days of service of the Order setting forth the issues to be determined at the hearing. Failure to request a hearing will result in the Order becoming effective upon expiration of the time for requesting a hearing.

#### **CERTIFICATE OF MAILING**

I, Sharon L. Tunstall, Office Manager, Public Employee Relations Board, of the Kansas Department of Labor, hereby certify that on the 3/2 day of December, 2008 a true and correct copy of the above and foregoing Order was deposited in the U. S. Mail, first class, postage prepaid, addressed to:

Adam Schowalter KOSE 1301 SW Topeka Blvd. Topeka, Kansas 66612 Allison Burghart Department of Administration 900 SW Jackson, Room 107 Topeka, Kansas 66612

Fred W. Phelps, Jr., #09298 Legal Counsel Kansas Department of Corrections 900 S.W. Jackson, 4<sup>th</sup> Floor Topeka, Kansas 66612

Sharon L. Tunstall, Office Manager

# 005 : Administrative Services Unit: 7/5:UCA-26:2009

#### Attachment

		Attachment
AGENOYINAME	JOE GODE :	
Adjutant General	OO7200	Accountant II
Kansas Health Policy Authority	OO7200	Accountant II
Board of Tax Appeals	1600P2	Applications Developer I
Department of Corrections	1600P2	Applications Developer I
Department of Revenue	1600P2	Applications Developer I
Department of Transportation	1600P2	Applications Developer I
Department on Aging	1600P2	Applications Developer I
Dept of Health & Environment	1600P2	Applications Developer I
Dept of Social & Rehab Svcs	1600P2	Applications Developer I
Highway Patrol	1600P2	Applications Developer I
Ks Dept of Wildlife and Parks	1600P2	Applications Developer I
Larned State Hospital	1600P2	Applications Developer I
Osawatomie State Hospital	1600P2	Applications Developer I
Atny Gen-Ks Bureau of Invstgtn	1601P2	Applications Developer II
Corporation Commission	1601P2	Applications Developer II
Department of Administration	1601P2	Applications Developer II
Department of Corrections	1601P2	Applications Developer II
Department of Education	1601P2	Applications Developer II
Department of Labor	1601P2	Applications Developer II
Department of Revenue	1601P2	Applications Developer II
Department of Transportation	1601P2	Applications Developer II
Department on Aging	1601P2	Applications Developer II
Dept of Commerce	1601P2	Applications Developer II
Dept of Health & Environment	1601P2	Applications Developer II
Dept of Social & Rehab Svcs	1601P2	Applications Developer II
Highway Patrol	1601P2	Applications Developer II
Juvenile Justice Authority	1601P2	Applications Developer II
Kansas Health Policy Authority	070903	Applications Developer II
Ks Dept of Wildlife and Parks	1601P2	Applications Developer II
Ks Pblc Employees Retirmnt Sys	1601P2	Applications Developer II
Osawatomie State Hospital	1601P2	Applications Developer II
Parsons St Hosp & Trng Center	1601P2	Applications Developer II
State Historical Society	1601P2	Applications Developer II
The Kansas Lottery	1601P2	Applications Developer II
Atny Gen-Ks Bureau of Invstgtn	1602P2	Applications Developer III
Corporation Commission	1602P2	Applications Developer III
Department of Administration	1602P2	Applications Developer III
Department of Corrections	1602P2	Applications Developer III
Department of Education	1602P2	Applications Developer III
Department of Labor	1602P2	Applications Developer III
Department of Revenue	1602P2	Applications Developer III
Department of Transportation	1602P2	Applications Developer III
Dept of Commerce	1602P2	Applications Developer III
Dept of Health & Environment	1602P2	Applications Developer III
Dept of Social & Rehab Svcs	1602P2	Applications Developer III
Highway Patrol	1602P2	Applications Developer III
Kansas Dept of Agriculture	1602P2	Applications Developer III
Kansas Racing & Gaming Comm	1602P2	Applications Developer III
Candad Rading & Carraing Commi	10021 2	Aphicadorio motoropor in

State Board of Healing Arts	1602P2	Applications Developer III
State Treasurer	1602P2	Applications Developer III
Corporation Commission	1604P2	Applications Support Technicn
Dept of Commerce	1604P2	Applications Support Technicn
Dept of Social & Rehab Svcs	1604P2	Applications Support Technicn
State Treasurer	1604P2	Applications Support Technicn
KS Gymtl Ethics Commission	067700	Auditor
Highway Patrol	4260A3	Compliance Officer
Department of Revenue	1611P2	Database Administrator II
Department of Transportation	1611P2	Database Administrator II
Department on Aging	1611P2	Database Administrator II
Dept of Health & Environment	1611P2	Database Administrator II
Fire Marshal	1611P2	Database Administrator II
Highway Patrol	1611P2	Database Administrator II
Atny Gen-Ks Bureau of Invstgtn	1612P2	Database Administrator III
Department of Education	1612P2	Database Administrator III
Department of Labor	1612P2	Database Administrator III
Department of Transportation	1612P2	Database Administrator III
Dept of Health & Environment	1612P2	Database Administrator III
Ks Pbic Employees Retirmnt Sys	078901	Dpty Chief Investment Officer
Dept of Commerce	8179A2	Economic Development Rep I
Highway Patrol	8179A2	Economic Development Rep I
Dept of Commerce	8180A2	Economic Development Rep II
Kansas Dept of Agriculture	8180A2	Economic Development Rep II
Dept of Commerce	8181A2	Economic Development Rep III
Department of Education	2003A3	Education Program Consultant
School for the Blind	009800	Education Support Technologist
Department of Administration	1614P3	Equipment Planning Techn I
Department of Labor	1614P3	Equipment Planning Techn I
Department of Transportation	1614P3	Equipment Planning Techn I
Dept of Social & Rehab Svcs	1614P3	Equipment Planning Techn I
Department of Administration	1615P3	Equipment Planning Techn II
Dept of Social & Rehab Svcs	1615P3	Equipment Planning Techn II
Department of Revenue	4266C1	Financial Economist
State Historical Society	4075E1	Historic Preservation Spec II
Dept of Health & Environment	1882C1	Hith Or Environ Planning Cons
Department on Aging	1884C1	Hith Or Environ Prog Analyst
Dept of Health & Environment	1884C1	Hith Or Environ Prog Analyst
Dept of Social & Rehab Svcs	1618P3	IT Architecture Analyst I
Department of Transportation	1995E1	Librarian I
El Dorado Correctional Fcity	1995E1	Librarian I
Ellsworth Correctional Fclty	1995E1	Librarian I
Hutchinson Correctional Folty	1995E1	Librarian I
Lansing Correctional Facility	1995E1	Librarian I
Larned Corr Mental Hith Fcity	1995E1	Librarian I
Osawatomie State Hospital	1995E1	Librarian I
State Historical Society	1995E1	Librarian I
State Library	1995E1	Librarian I
Topeka Correctional Facility	1995E1	Librarian I
State Historical Society	1996E1	Librarian II
State Library	015400	Librarian II
State Library	1996E1	Librarian II
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KS Gymtl Ethics Commission	0A4600	Local Campaign Finance Super
Department of Administration	4312F1	Long-Term Care Ombudsman
Corporation Commission	4097C1	Management Systems Analyst I
Department of Administration	4097C1	Management Systems Analyst I
Department of Revenue	4097C1	Management Systems Analyst I
Department of Transportation	4097C1	Management Systems Analyst I
Department on Aging	4097C1	Management Systems Analyst I
Dept of Social & Rehab Svcs	4097C1	Management Systems Analyst I
Kansas Health Policy Authority	4097C1	Management Systems Analyst I
Kansas Juvenile Correct. Cmplx	4097C1	Management Systems Analyst I
Larned State Hospital	4097C1	Management Systems Analyst I
Department of Labor	4098C1	Management Systems Analyst II
Department of Revenue	4098C1	Management Systems Analyst II
Department of Transportation	4098C1	Management Systems Analyst II
Department on Aging	4098C1	Management Systems Analyst II
Dept of Commerce	4098C1	Management Systems Analyst II
Dept of Social & Rehab Svcs	4098C1	Management Systems Analyst II
Kansas Health Policy Authority	4098C1	Management Systems Analyst II
Corporation Commission	0A2300	Managing Research Economist
Corporation Commission	0B3500	- <del>-</del>
Corporation Commission	0A2400	Managing Telecom Aud/anal
•	0C3865	Managing Utilities Rate Anal
Indigents Defense Svcs St Bd		Mitigation Specialist
State Historical Society	4103E1	Museum Specialist
Adjutant General	4135C1	Planner II
Department of Transportation	4135C1	Planner II
Highway Patrol	4135C1	Planner II
Dept of Health & Environment	1881C1	Policy And Program Analyst
Emergency Medical Services	1881C1	Policy And Program Analyst
Kansas Health Policy Authority	1881C1	Policy And Program Analyst
State Historical Society	1881C1	Policy And Program Analyst
Animal Health Department	4041A4	Program Consultant I
Corporation Commission	4041A4	Program Consultant I
Department of Administration	4041A4	Program Consultant I
Department of Education	4041A4	Program Consultant I
Department of Labor	4041A4	Program Consultant I
Department of Transportation	4041A4	Program Consultant I
Dept of Commerce	4041A4	Program Consultant I
Dept of Health & Environment	4041A4	Program Consultant I
Dept of Social & Rehab Svcs	4041A4	Program Consultant I
Emergency Medical Services	4041A4	Program Consultant I
Highway Patrol	4041A4	Program Consultant I
Kansas Health Policy Authority	040401	Program Consultant I
Kansas Health Policy Authority	4041A4	Program Consultant I
Larned State Hospital	4041A4	Program Consultant I
Osawatomie State Hospital	4041A4	Program Consultant I
Parsons St Hosp & Trng Center	4041A4	Program Consultant I
Rainbow Mental Health Facility	4041A4	Program Consultant I
The Kansas Lottery	4041A4	Program Consultant I
Winfield Correctional Facility	4041A4	Program Consultant I
Adjutant General	4157A4	Program Consultant II
Department of Corrections	4157A4	Program Consultant II
Department of Education	4157A4	Program Consultant II
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Department of Labor	4157A4	Program Consultant II
Department of Revenue	4157A4	Program Consultant II
Department of Transportation	4157A4	Program Consultant II
Department on Aging	4157A4	Program Consultant II
Dept of Commerce	4157A4	Program Consultant II
Dept of Health & Environment	4157A4	Program Consultant II
Dept of Social & Rehab Svcs	4157A4	Program Consultant II
Juvenile Justice Authority	4157A4	Program Consultant II
Kansas Arts Commission	4157A4	Program Consultant II
Kansas Health Policy Authority	040402	Program Consultant II
Kansas Health Policy Authority	4157A4	Program Consultant II
Ks Dept of Wildlife and Parks	4157A4	Program Consultant II
Larned State Hospital	4157A4	Program Consultant II
Kansas Health Policy Authority	0B9700	Program Specialist II
Adjutant General	070501	Property & Accounting Specialst
Department of Revenue	4164A5	Property Appraiser I
Department of Revenue	4165A5	Property Appraiser II
Indigents Defense Svcs St Bd	071600	Public Defender V
Dept of Health & Environment	2020F1	Public Health Educator
Kansas Health Policy Authority	0C3846	Public Service Administrator
Behavorial Sciences Reg Board	4270A4	Public Service Administrator 2
Department of Administration	4270A4	Public Service Administrator 2
Department of Corrections	4270A4 4270A4	Public Service Administrator 2
Department of Education	4270A4 4270A4	Public Service Administrator 2
Department of Labor	4270A4	Public Service Administrator 2
Department of Transportation	4270A4 4270A4	Public Service Administrator 2
Dept of Commerce	4270A4 4270A4	Public Service Administrator 2
Dept of Confinence  Dept of Health & Environment	4270A4 4270A4	Public Service Administrator 2
Dept of Fleath & Environment  Dept of Social & Rehab Svcs	4270A4	Public Service Administrator 2
Juvenile Justice Authority	4270A4 4270A4	Public Service Administrator 2
Kansas Dept of Agriculture	4270A4 4270A4	Public Service Administrator 2
Kansas Health Policy Authority	4270A4 4270A4	Public Service Administrator 2
Kansas Juvenile Correct. Cmplx	4270A4 4270A4	Public Service Administrator 2
Dept of Commerce	4270A4 4271A4	Public Service Administrator 3
Dept of Confinence Dept of Health & Environment	4271A4 4271A4	Public Service Administrator 3
Kansas Water Office	4271A4 4271A4	Public Service Administrator 3
	427 1A4 4269A4	Public Service Administrator I
Atny Gen-Ks Bureau of Invstgtn Banking Department	4269A4 4269A4	Public Service Administrator I
• .	4269A4	Public Service Administrator I
Corrections Dept-Corrtnl Indus	4269A4 4269A4	Public Service Administrator I
Department of Administration	4269A4 4269A4	Public Service Administrator I
Department of Labor	4269A4 4269A4	Public Service Administrator I
Department of Revenue	4269A4 4269A4	Public Service Administrator I
Department of Transportation	4269A4 4269A4	Public Service Administrator I
Department on Aging	4269A4 4269A4	Public Service Administrator I
Dept of Commerce	4269A4 4269A4	Public Service Administrator I
Dept of Health & Environment		
Dept of Social & Rehab Svcs	4269A4	Public Service Administrator I
Hutchinson Correctional Felty	4269A4	Public Service Administrator I
Kansas Dept of Agriculture	4269A4	Public Service Administrator I
Kansas Juvenile Correct. Cmplx	4269A4	Public Service Administrator I
Kansas State Fair Board	4269A4	Public Service Administrator I
Ks Pblc Employees Retirmnt Sys	4269A4	Public Service Administrator I

Optometry Board of Examiners	4269A4	Public Service Administrator I
Pooled Money Investment Board	4269A4	Public Service Administrator I
State Board of Healing Arts	4269A4	Public Service Administrator I
Topeka Correctional Facility	4269A4	Public Service Administrator I
Adjutant General	0A0600	Real Property Mgmt Specialist
KS Gymtl Ethics Commission	089300	Report Examiner I
Atny Gen-Ks Bureau of Invstgtn	2013C1	Research Analyst I
Corporation Commission	2013C1	Research Analyst I
Department of Education	2013C1	Research Analyst I
Department of Labor	2013C1	Research Analyst I
Department of Revenue	2013C1	Research Analyst I
Department of Transportation	2013C1	Research Analyst I
Dept of Health & Environment	2013C1	Research Analyst I
Kansas Health Policy Authority	2013C1	Research Analyst I
Kansas Sentencing Commission	026401	Research Analyst I
Atny Gen-Ks Bureau of Invstgtn	2014C1	Research Analyst II
Corporation Commission	2014C1	Research Analyst II
Department of Labor	2014C1	Research Analyst II
Department of Revenue	2014C1	Research Analyst II
Department of Transportation	2014C1	Research Analyst II
Dept of Commerce	2014C1	Research Analyst II
Dept of Health & Environment	2014C1	Research Analyst II
Dept of Social & Rehab Svcs	2014C1	Research Analyst II
Ks Pblc Employees Retirmnt Sys	2014C1	Research Analyst II
Larned State Hospital	2014C1	Research Analyst II
Department of Education	2015C1	Research Analyst III
Department of Labor	2015C1	Research Analyst III
Department of Revenue	2015C1	Research Analyst III
Department of Transportation	2015C1	Research Analyst III
Dept of Commerce	2015C1	Research Analyst III
Dept of Health & Environment	2015C1	Research Analyst III
Kansas Dept of Agriculture	2015C1	Research Analyst III
Kansas Sentencing Commission	038800	Research Analyst III
Department of Corrections	2016C1	Research Analyst IV
Department of Labor	2016C1	Research Analyst IV
Dept of Health & Environment	2016C1	Research Analyst IV
Kansas Dept of Agriculture	2016C1	Research Analyst IV
Kansas Health Policy Authority	2016C1	Research Analyst IV
Larned State Hospital	2016C1	Research Analyst IV
Conservation Commission	038500	Resource Planner
Department of Transportation	4184A5	Right-of-Way Agent I
Department of Transportation	4242A5	Right-of-way Agent II
Department of Transportation	4188A5	Right-of-way Property App I
Department of Transportation	4241A5	Right-of-way Property App II
Corporation Commission	0A5900	Senior Research Economist
Corporation Commission	0A6100	Sr Utility Eng/Rate Analyst
Department of Education	4208A1	State Auditor I
Department of Labor	4208A1	State Auditor I
Department of Revenue	4208A1	State Auditor I
Department of Transportation	4208A1	State Auditor I
Juvenile Justice Authority	4208A1	State Auditor I
Ks Dept of Wildlife and Parks	4208A1	State Auditor I
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Department of Administration	4209A1	State Auditor II
Department of Administration  Department of Corrections	4209A1	State Auditor II
Department of Labor	4209A1	State Auditor II
Department of Revenue	4209A1	State Auditor II
Department on Aging	4209A1	State Auditor II
Dept of Social & Rehab Svcs	4209A1	State Auditor II
Kansas Dept of Agriculture	4209A1	State Auditor II
Kansas Health Policy Authority	4209A1	State Auditor II
Kansas Racing & Gaming Comm	4209A1	State Auditor II
Ks Pblc Employees Retirmnt Sys	4209A1	State Auditor II
Securities Comm of Kansas	4209A1	State Auditor II
Department of Corrections	4210A1	State Additor III
Department of Corrections  Department of Labor	4210A1 4210A1	State Additor III
Department of Revenue	4210A1 4210A1	State Additor III
Dept of Commerce	4210A1 4210A1	State Additor III
Securities Comm of Kansas	4210A1 4210A1	
	1633P2	State Auditor III
Department of Administration	1633P2	System Software Analyst I
Department of Revenue		System Software Analyst I
Ks Pblc Employees Retirmnt Sys	1633P2	System Software Analyst I
Department of Administration	1634P2	System Software Analyst II
Department of Labor	1634P2	System Software Analyst II
Department of Revenue	1634P2	System Software Analyst II
Department of Transportation	1634P2	System Software Analyst II
Department on Aging	1634P2	System Software Analyst II
Dept of Social & Rehab Svcs	1634P2	System Software Analyst II
Department of Administration	1635P2	System Software Analyst III
Department of Education	1635P2	System Software Analyst III
Department of Labor	1635P2	System Software Analyst III
Department of Transportation	1635P2	System Software Analyst III
Dept of Health & Environment	1635P2	System Software Analyst III
Dept of Social & Rehab Svcs	1635P2	System Software Analyst III
The Kansas Lottery	1635P2	System Software Analyst III
Department of Administration	1636P2	System Software Staff Consulta
Dept of Social & Rehab Svcs	1636P2	System Software Staff Consulta
Department of Revenue	4223A1	Tax Specialist
Corporation Commission	0A2500	Utilities Rate Analyst
Dept of Social & Rehab Svcs	4229D2	Volunteer Services Coordinator
Kansas Neurological Institute	4229D2	Volunteer Services Coordinator
Lansing Correctional Facility	4229D2	Volunteer Services Coordinator
Rainbow Mental Health Facility	4229D2	Volunteer Services Coordinator
Topeka Correctional Facility	4229D2	Volunteer Services Coordinator
Veterans Commission	4229D2	Volunteer Services Coordinator