

**BEFORE THE PUBLIC EMPLOYEE RELATIONS BOARD
OF THE STATE OF KANSAS**

Kansas Association of Public Employees)	
Petitioner,)	
)	
v.)	
)	Case No: 75-UDC-2-2002
State of Kansas, Osawatomie State Hospital)	
)	
Respondent)	

**FINAL ORDER AFFIRMING THE
PRESIDING OFFICER'S INITIAL ORDER**

Pursuant to K.S.A. 77-527


NOW ON THIS fifteenth day of February, 2006, the above-captioned matter comes before the Public Employee Relations Board (PERB) for agency head review of the presiding officer's Initial Order. Petitioner Kansas Association of Public Employees appears by and through counsel, Donald R. Hoffman, Attorney at Law. State of Kansas, Department of Social & Rehabilitation Services, Osawatomie State Hospital appears by and through counsel, Jane Kelly Coates, Attorney at Law.

WHEREUPON the PERB members review the file, consider the briefs and arguments of respective counsel, and being well and duly advised in the premise, vote 3-0 to affirm the presiding officer's Initial Order, without modification.

Journalized this 17th day of February, 2006.

75-UDC-2-2002-F

PUBLIC EMPLOYEE RELATIONS BOARD


Ken Gorman, Chairperson, PERB


Wayne Maichel, Board Member


Sally O'Grady, Board Member

NOTICE OF RIGHT TO SEEK JUDICIAL REVIEW

The foregoing journal entry is a final order of the Public Employee Relations Board pursuant to K.S.A. 77-527. This order is subject to review by the district court in accordance with the Act for Judicial Review and Civil Enforcement of State Agency Actions (K.S.A. 77-601 et seq.)

Unless a motion for reconsideration is filed pursuant to K.S.A. 77-529, a petition for judicial review must be filed with the appropriate district court within 30 days after the final order has been served upon the parties. Since this Final Order is being served upon the parties by mail, the parties are allowed a total of 33 days from the date on the certificate of mailing below to file their petition for judicial review in the appropriate district court. See K.S.A. 77-613(b) and (e).

Pursuant to K.S.A. 77-527(j), K.S.A. 77-613(e), and K.S.A. 77-615(a), a party seeking judicial review must serve a copy of its petition for judicial review upon the Public Employee Relations Board by serving its designated agent as follows:

Public Employee Relations Board
c/o A.J. Kotich, Chief Counsel
Kansas Department of Labor
427 Topeka Blvd.
Topeka, KS 66603-3182

CERTIFICATE OF MAILING


I, Sharon L. Tunstall, Office Manager, for the Public Employee Relations Board of the Kansas Department of Labor, do hereby certify that on the 6th of **March, 2006**, a true and correct copy of the above and foregoing Final Order Affirming the Presiding Officer's Initial Order was served upon the following parties by the U. S. Mail, first class, postage prepaid, addressed to:

Donald R. Hoffman, Attorney
Kansas Association of Public Employees
c/o HOFFMAN & HOFFMAN
112 SW 7th
Topeka, KS 66603
Attorney for Petitioner

Jane Kelly Coates, Attorney
KS Dept. Of Social & Rehabilitation Services
915 SW Harrison - Rm. 530 (DSOB)
Topeka, KS 66612-1570
Attorney for Respondent

Allison Burghart, Attorney
Kansas Department of Administration
900 SW Jackson, Rm 107 (LSOB)
Topeka, KS 66612

Les Hughes, Labor Negotiator
Kansas Department of Administration
900 SW Jackson, Rm 600 (LSOB)
Topeka, KS 66612


Sharon L. Tunstall, Office Manager