

STATE OF KANSAS

BEFORE THE PUBLIC EMPLOYEE RELATIONS BOARD

KANSAS ASSOCIATION OF PUBLIC EMPLOYEES)
("KAPE"), Petitioner)
v.)
AMERICAN FEDERATION OF STATE, COUNTY,)
AND MUNICIPAL EMPLOYEES ("AFSCME"))
and) Case No. 75-UDC-5-1988
NATIONAL ASSOCIATION OF GOVERNMENT)
EMPLOYEES ("NAGE"), Intervenors)
v.)
KANSAS DEPARTMENT OF SOCIAL AND)
REHABILITATIVE SERVICES ("SRS"))
and)
KANSAS DEPARTMENT OF ADMINISTRATION,)
Respondents)
_____)

ORDER

Now on this 16th day of August, 1989, the above-captioned matter comes on for consideration before the Public Employee Relations Board of Kansas.

KAPE appears by Brad Avery, counsel. AFSCME appears by Wayne Wianecki, business agent. NAGE appears by Roger Wormington, National Representative. SRS appears by Darrell McNeil and Linda Jane Kelly, counsel. Kansas Department of Administration appears by Gary Leitnaker, Director of Labor Relations, and Adele Ross Vine, counsel.

The parties show the board that:

1. The Kansas Association of Public Employees has petitioned to bring about a representation election within a statewide unit of SRS professional social workers and income maintenance workers in this case.

2. Certain professional social workers employed by SRS have for approximately 15 years been included in non-professional SRS bargaining units at Osawatomie, Larned, and Topeka state hospitals, and are currently represented by either the National Association of Government Employees (NAGE) or the American Federation of State, County, and Municipal Employees (AFSCME) in those units.

3. All parties recognize social workers to be professional employees as that term is defined in K.S.A. 75-4322(d).

4. The Public Employer-Employee Relations Act K.S.A. 75-4321 et seq. contemplates and permits bargaining units which include both professional and non-professional employees, and the existing units at the Osawatomie, Larned, and Topeka state hospitals are therefore an appropriate alternative placement of social workers for representation purposes.

5. The State of Kansas by and through its Department of Social and Rehabilitative Services (SRS) and its Department of Administration is seeking to amend the statewide unit of social workers to include the social workers who are employed and currently represented in local units at Osawatomie, Larned, and Topeka state hospitals.

6. In order to develop harmonious relations between social workers and the State of Kansas, maintain harmonious relations among employee organizations operating in Kansas, and cause the statewide unit of social workers the least delay possible, the parties have agreed social workers at the Osawatomie, Larned, and Topeka state hospitals should be amended out of the non-professional units at

those institutions and included in the statewide unit of social workers in this case.


The board, having heard the statements of the parties and finding conformity with the criteria of K.S.A. 75-4327(e), now hereby amends the Statewide Unit of Professional Social Workers and Income Maintenance Workers, established through a board order in Case No. UDC-2-1975, as follows:

All social workers who are public employees as defined by K.S.A. 75-4321 et seq. and who were formerly placed in separate bargaining units with nonprofessional employees at Larned State Hospital, Osawatomie State Hospital, and Topeka State Hospital are hereby amended out of the nonprofessional units at those institutions and included in the Statewide Professional Social Workers and Income Maintenance Workers unit, as previously established through the Board order in Case No. UDC-2-1975.

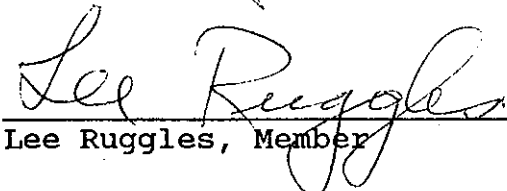
IT IS SO ORDERED.

Entered in Topeka, Kansas this 16th day of August, 1989.

PUBLIC EMPLOYEE RELATIONS BOARD OF KANSAS



Dorothy N. Nichols, Chairperson




Lee Ruggles, Member



Art J. Veach, Member

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Mike Cavell, Member



Merrill Werts, Member