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## HB 2081—IN OPPOSITION

Before the House Committee on Federal and State Affairs

Submitted by: Rebecca Proctor

Executive Director, Kansas Organization of State Employees (KOSE)

February 2, 2017

Chairman Barker and Members of the Committee:

My name is Rebecca Proctor and I am Executive Director of the Kansas Organization of State Employees (KOSE). KOSE is a public employee union representing over 8,000 executive branch employees. There are KOSE-covered employees in every single county and every single legislative district. On behalf of those employees, I ask you to oppose HB 2081.

This bill states public employers cannot be held liable for any wrongful or negligent actions of an employee carrying a personal concealed handgun during working time. We believe this is extremely poor public policy. We believe all employers, be they public or private, have an obligation to provide a safe, healthful working environment for employees. Part of that obligation is imposing and enforcing basic safety rules for all employees, regardless of whether they work directly within the employer's place of business or in the field.

Employers, public and private, have a variety of rules to insure a safe workplace, whether it is the safe operation of vehicles or equipment, the safe handling of tools, the proper wearing of personal protective equipment, the safe handling of a mobile phone (no texting or web surfing while driving). Employees can be disciplined, up to and including termination, for violating safety rules. This bill essentially removes the employer's ability to control its workplace, as well as the employees' ability to expect a safe and healthful workplace.

As an example, because the bill removes liability from the employer, an employee injured at work by another employee's careless handling of a handgun would not be entitled to workers' compensation or other sort of compensation from the employer. The injured employee would only be able to recover damages for lost time and lost wages by pursuing legal action directly against the other employee. This would require the employee to hire an attorney, file suit, and progress through the court system, making any remedy years away. Realistically, the result is a lost time injury incurred

while engaged in work for the employer for which there is no immediate or meaningful remedy. Again, this is very poor public policy.

Passing this bill erodes a employer's responsibility to maintain a safe workplace and increases the possibility of employees receiving uncompensated workplace injuries. We ask you to maintain workpalce and employee safety and vote against this bill.