

The Respondent City of Wichita, Kansas, filed a timely Petition for Review of the Initial Order with the Board on February 20, 1996, which was granted by the Board on February 21, 1996, at their regularly scheduled meeting. An Order was issued to that effect on February 26, 1996. The Petitioner filed a brief with the Board on April 19, 1996, and the Respondent filed a brief on April 22, 1996.

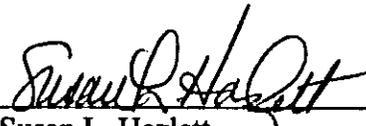
WHEREAS the Board has reviewed the Initial Order of February 1, 1996, and incorporates by reference the Finding of Facts therein,

WHEREAS the Board has received briefs from both parties and reviewed same, and oral arguments of both parties were heard by the Board on May 15, 1996, and

WHEREAS the Board has determined, in a 3-2 vote, that the Respondent's unilateral adoption and implementation of Resolution R-94-129 on April 12, 1994, requiring all new employees of the City of Wichita to reside within the corporate limits of the City constitutes a management right pursuant to K.S.A. 75-4326(d), and was not a prohibited practice as concluded by the special presiding officer in the Initial Order,

THEREFORE, the Board finds for the Respondent and the Initial Order of February 1, 1996, in this matter is hereby reversed.

IT SO ORDERED this 28th day of May, 1996.



Susan L. Hazlett
Acting Associate Director
Public Employee Relations Board
1430 SW Topeka Blvd.
Topeka, Kansas 66612

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of May, 1996, a true and correct copy of the above and foregoing Final Order was deposited in the U.S. Mail, first class, postage pre-paid, addressed to:

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