BEFORE THE PUBLIC EMPLOYEE RELATIONS BOARD
OF THE STATE OF KANSAS

Kansas Department of Administration, Petitioner,	)	
v.	)	Case No. 75-CAEO-3-1998
Kansas State Troopers Association, Respondent.	)	

SUMMARY ORDER

NOW ON THE 12th day of January, 1998, the Motion to Dismiss filed by the respondent,Kansas State Troopers Association, comes on for consideration by the presiding officer, Susan L. Hazlett. The complaint was filed by the petitioner, the Kansas Department of Administration, on September 16, 1997. At the request of petitioner, the case was placed in abeyance on December 5, 1997.

The presiding officer, after being duly advised, finds that:

1. The parties in this matter are in agreement that during contract negotiations, their respective negotiating teams exchanged proposals which resulted in the respondent's team agreeing to take the petitioner's proposal to the union members for a vote.

2. The parties are in agreement that the union's negotiating team informed the petitioner's negotiating team that when the proposal was presented to the members of the bargaining unit, it would include a recommendation that the members reject the proposal.

3. Petitioner alleged in their complaint that respondent committed a prohibited

practice pursuant to K.S.A. 75-4333(c)(3) and (4) by alleging that the "employee organization willfully entered into a tentative agreement on all outstanding open articles of a memorandum of agreement modification while stating it was the employee organization team's willful intent for the employees to fail to ratify the agreements reached."

4. Respondent's actions, which are the basis of the petitioner's complaint, were an internal union matter over which the petitioner has no standing to complain.

Accordingly, this matter is hereby dismissed for lack of jurisdiction over the subject matter.

IT IS SO ORDERED this 29th day of January, 1998.

Susan L. Hazlett
Presiding Officer
1430 S.W. Topeka Blvd.
Topeka, KS 66612-1853
785-368-6224

RIGHT TO REQUEST HEARING

This is a summary proceeding pursuant to K.S.A. 1996 Supp. 77-537. A party may request a hearing on the Order by filing a request with the Executive Director 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 the expiration of the time for requesting a hearing.

CERTIFICATE OF MAILING

I, Sharon L. Tunstall, Office Manager for the Public Employee Relations Board, hereby certify that on the 30th day of January, 1998, a true and correct copy of the above and foregoing Summary Order was deposited in the U.S. Mail, first class, postage prepaid, addressed to:

Robert E. North
Legal Section
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Sharon L. Tunstall

Sharon L. Tunstall