

BEFORE THE STATE OF KANSAS DEPARTMENT OF LABOR  
PUBLIC EMPLOYEE RELATIONS BOARD

Fraternal Order of Police, Lodge #3 )  
 )  
 ) Petitioner, )  
 )  
 v. ) Case No. 75-UCA-1-2005  
 )  
 )  
 ) City of Topeka, Kansas – Police )  
 ) Department )  
 ) Respondent. )  
 )  
 \_\_\_\_\_ )

STIPULATION AND ORDER OF DISMISSAL

Pursuant to the provisions of the Kansas Public Employer-Employee Relations Act, K.S.A. 75-4321 *et seq.* and amendments thereto, the Public Employee Relations Board of the State of Kansas Department of Labor hereby issues the following order based upon the stipulation of the parties, Petitioner Fraternal Order of Police, Lodge #3 ("FOP Bargaining Unit") and Respondent City of Topeka, Kansas ("City") as follows:

1. The position or classification of Protective Service Worker I, and the employees under that position shall be recognized by the City as part of the FOP Bargaining Unit for purposes of collective bargaining;

2. The FOP Bargaining Unit shall be immediately amended to include an additional classification of employees consisting of all certified law enforcement officers assigned to the Municipal Court in the position or classification of Protective Services Worker I;

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3. The City and employees holding the position or classification of Protective Service Worker I shall negotiate a new bargaining unit agreement to establish terms and conditions of employment for the Protective Service Worker I's. Until such agreement is entered into, the City's personnel code, policies, and rules and regulations shall continue to govern the Protective Service Worker I's terms and conditions of employment.

4. The City waives any objection to a new Petition being filed with PERB, to address the sole issue of whether the employee(s) in the position or classification of Protective Worker II should be included in the FOP Bargaining Unit, as well as waives any objection to PERB considering the request for the inclusion of the Protective Service Worker II classification in the FOP Bargaining Unit,. The FOP is permitted to file this new Petition within thirty (30) days of the date of this Order. The parties contemplate that PERB will set for hearing the issue of whether the Protective Services Worker II position or classification should properly be included in the FOP Bargaining Unit.

5. The above captioned mater is hereby dismissed by stipulation of the parties.

IT IS SO ORDERED THIS 31<sup>st</sup> day of March, 2005.

D.H.A. N.S.  
PRESIDING OFFICER

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STIPULATED TO BY:

  
\_\_\_\_\_  
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Lodge #3**

Dated: 3/30/05

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\_\_\_\_\_  
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**Counsel for City of Topeka, Kansas**

Dated: 3/25/05

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