

**BEFORE THE PUBLIC EMPLOYEE RELATIONS BOARD  
OF THE STATE OF KANSAS**

International Association of )  
Firefighters (IAFF) Local 135 )  
 )  
Petitioner, )  
 )  
v. )  
 )  
City of Wichita, Kansas )  
 )  
Respondent. )  
\_\_\_\_\_ )

Case No. 75-CAE-5-2013  
OAH No. 14DL0089PE

**FINAL ORDER**

NOW, on this 22<sup>nd</sup> day of April, 2014, the above captioned matter was submitted to the Public Employee Relations Board (PERB) for consideration of Petitioner's request for the PERB to review the Initial Order issued by the Presiding Officer on March 24, 2014.

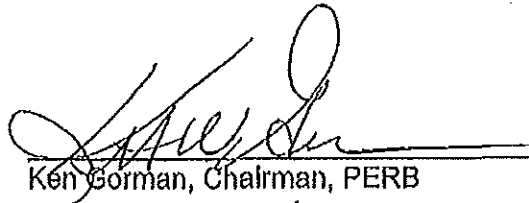
The PERB finds and concludes that the record contains substantial evidence supporting the Presiding Officer's findings of fact and is not otherwise unreasonable, arbitrary or capricious. Further, the PERB discerns no errors in the application of law to the findings of fact. Lastly, the PERB finds no legal basis for the Petitioner's challenge of the Presiding Officer's order.


The PERB herewith denies the Petitioner's request for review.

Therefore, the Initial Order shall become the Final Order of the PERB pursuant to K.S.A. 77-530(b)(2) without further review or modification.


Dated this 22<sup>nd</sup> day of April, 2014.

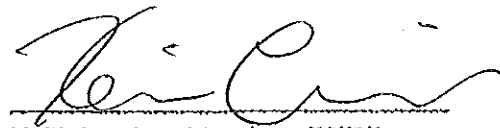
\_\_\_\_\_

  
Ken Gorman, Chairman, PERB

  
Mark McGivern, Member, PERB

  
John Bowes, Member, PERB

  
Eric Carter, Member, PERB

  
Keith Lawing, Member, PERB

#### NOTICE OF RIGHT OF REVIEW

Under the provision of K.S.A. 77-530(b)(2) this Order converts the Initial Order of the Presiding Officer into a Final Order of the Public Employee Relations Board. To obtain district court review of the agency's decision in this case, an aggrieved party must file a petition for judicial review. A petition for judicial review must be filed within 33 days after service of this order with the Clerk of the appropriate district court pursuant to K.S.A. 77-601, et seq. You must also serve a copy of your petition for judicial review on the Kansas Department of Labor. The agency officer to receive service of a copy of your petition for judicial review on behalf of this agency is: Chief Counsel Brad Burke, 401 SW Topeka Blvd., Topeka, KS 66603.

#### CERTIFICATE OF MAILING

I, hereby certify that on the 22<sup>nd</sup> of April, 2014 a true and correct copy of the above and foregoing Final Order was served upon the parties to the case by depositing the copies in the United States Mail, first class – postage prepaid, addressed to:

Carl Gallagher  
10 E Cambridge Circle Drive  
Suite 300  
Kansas City, Kansas 66103

FINAL ORDER  
75-CAE-5-2013/14DL0089PE

Joni J. Franklin  
Franklin Law Office  
727 N. Waco  
Suite 150  
Wichita, Kansas 67203

Bob Corkins  
Office of Administrative Hearings  
1020 S. Kansas Ave.  
Topeka, KS 66612

*Linda Wickman*