



Testimony on HB2111

Submitted To

The House Insurance and Pensions Committee

By

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On behalf of Secretary Zmuda, I appreciate the opportunity to offer this testimony from the Kansas Department of Corrections on the proposed changes in House Bill 2111. We support the concept and are neutral on the bill as proposed.

The employees of the Kansas Department of Corrections (KDOC) are vital to the criminal justice system in Kansas. The work they do is challenging, rewarding, frustrating, exciting, and demanding. Whether a specific employee works with juveniles or adults, in the community or in a facility, they work with individual members of our society that few other workers in the public and private sector choose to, all to make us safer. They also work with them day after day, different than a law enforcement officer or a firefighter or emergency medical technician who may only have a one-time interaction with a particular individual. Those among us who choose to work in juvenile and adult corrections for the benefit of us all, should receive competitive compensation, including their retirement benefits.

Today, and historically, the retirement benefits of those working in the juvenile and adult correctional systems has never been competitive when compared to the retirement system for law enforcement officers, firefighters, and emergency medical technicians covered under Kansas Police & Fire (KP&F). Multiple times in recent years, proposals have been discussed to provide a competitive retirement package for these employees, yet no plan has been adopted. Some suggest the physical demands on current members are more strenuous, others that they are at greater risk in performing their duties. I would suggest to you, as I'm sure that representatives of our employee unions and employees themselves will as well, that any differences in the risk or the physical demands are much less than they have been perceived and are really quite similar. Corrections work is mentally, physically, and emotionally demanding and occurs in community and facility settings where the inherent risks are real. Others have suggested modification to KPERS or Correctional KPERS to be more similar to KP&F. Regardless of the legislative plan, these employees deserve a solution to place their retirement plan on equal footing with the current members of the KP&F program working for our law enforcement, fire departments, and emergency medical service agencies.

We are neutral on HB2111 as proposed because it does not address the full scope of the corrections workforce who work with persons and in settings that are comparable to current KP&F members. And a partial solution is inappropriate. The bill omits the employees of KDOC doing the same work in juvenile facilities as their peers in adult facilities, those employees working with the same population in a community setting on parole or post-release supervision, and other groups of employees working in facilities who work in close proximity to our residents. Juvenile corrections staff, parole officers, and all non-uniformed employees working in close proximity to residents must be included in the solution.

Examples of Benefits

The following is a comparison for the various retirement programs KDOC employees work under today, or would be able to work under if the legislature were to enact changes including them in KP&F. The below is based on the earliest possible age of retirement for full benefits, and do not include all plan options that exist.

Retirement Program	Youngest Possible Full Retirement Age	Required Years of Service
KPERS 1 * (hire prior to 7-1-09)	53 (based on earning 85 pts if started at youngest possible start age of 21)	32
KPERS 2 * (hire between 7-1-09 and 12-31-14)	60	30
KPERS 3 * (hire after 1-1-15)	60	30
KPERS 1 Correctional	53 (based on 85 pts if started at youngest possible age of 21**)	32
KPERS 2 Correctional	55 (members in A) 60 (members in B)	10 10
KP&F	50	25

Retirement Program	Final Average Salary	x Multiplier	x Years of Service	= Annual Benefit
KPERS before 2014***	\$35,000	1.75	20	\$12,250
KPERS after 2014	\$35,000	1.85	20	\$12,950
KP&F	\$35,000	2.5	20	\$17,500

Notes:

* are the current options for juvenile correctional officers and parole officers based upon date of hire. These officers are not part of Correctional KPERS today and excluded from KP&F as the bill is currently written.

** youngest age for hire has been reduced to 19 and later to 18 for those working in adult facilities, but was age 21 for majority of employees eligible for this plan.

*** eligibility for Tier 1 ceased in 2014 so any employee hired on an after January 1, 2014 would have all years of service based on the 1.85 multiplier. Employees hired prior to that date have the 1.75 and 1.85 multipliers applied to the respective years of service.

Considering the changes to public retirement system in recent years, looking only at a new employee hired by KDOC after January 1, 2015, a juvenile correctional officer or a parolee officer the earliest possible retirement date with full benefits is age 60 with 30 years of service. Compared to KP&F from which they could retire at age 50 with 25 years of service, a decade earlier, and with the multiplier difference providing a 35% higher annual benefit. For an adult correctional officer, the 35% higher benefit is the same, but their earliest possible retirement date would be at age 55.

In closing. We appreciate that the Committee, and the Legislature as a whole, are again discussing this topic and encourage you to include these groups of employees in the solution you decide to enact.