

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;

RECEIVED

MAR 31 2005

Kansas Dept. of Labor
(PERB & LR)

75-UCA-1-2005

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 31st day of March, 2005.

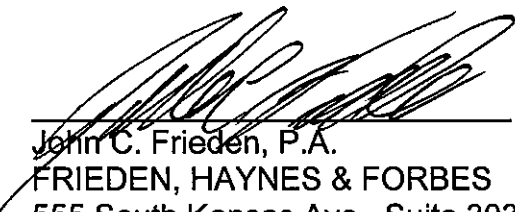

PRESIDING OFFICER

RECEIVED

MAR 31 2005

Kansas Dept. of Labor
(PERB & LR)

STIPULATED TO BY:



John C. Frieden, P.A.
FRIEDEN, HAYNES & FORBES
555 South Kansas Ave., Suite 303
Topeka, Kansas 66603
TEL: (785) 232-7266
FAX: (785) 232-8541
**Counsel for Fraternal Order of Police
Lodge #3**

Dated: 3/30/05

BB)

Braxton B. Copley
Assistant City Attorney
215 SE 7th Street, Room 353
Topeka, Kansas 66603-3979
TEL: (785) 368-3883
FAX: (785) 368-3901
Counsel for City of Topeka, Kansas

Dated: 3/25/05

RECEIVED
MAR 31 2005
Kansas Dept. of Labor
(PERB & LR)