



THE LEAGUE News

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CITY ATTORNEY FALL CLE

The City Attorney Association Virtual Fall Conference is set for Friday, October 9. While we know nothing beats seeing your long-time colleagues and friends in-person, the board is confident that this year's conference will provide value and education. The sessions will be relevant topics for attorneys practicing municipal law. The tentative agenda and topics are on the [CAAK website](#). We will be submitting for 7 hours CLE credit for this meeting. The cost to attend will be \$30 for CAAK members and \$45 for non-members. We look forward to having you join us via Zoom. Please e-mail [Tami Martin](mailto:Tami.Martin) with additional questions.

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NOMINATING COMMITTEE ANNOUNCED

League President John "Tiny" McTaggart, Mayor of Edwardsville, has appointed a seven-member committee to serve as the 2020 League Nominating Committee. The Committee will be chaired by Daron Hall, City Manager for Pittsburg. There are four director positions on the Governing Body, each with a three-year term of office, considered each year.

In addition, the Committee will consider nominations for President and Vice President for one-year terms. The League encourages officials from all member cities to participate in our organization and to consider serving on the Governing Body. Being part of the Governing Body is an excellent way to shape the future development of your organization. The League welcomes officials from both large and small cities, from all regions of Kansas, to nominate their colleagues or even themselves for Governing Body positions.

Article 4 of the League Bylaws charges the Nominating Committee with submitting a written report at least 24-hours before the start of the annual business meeting of the organization. This year's business meeting, including elections, will be held Friday, October 16, during the Virtual League Annual Conference. The 2020 Nominating Committee members are:

Daron Hall, City Manager (Chair)
City of Pittsburg
201 W 4th St
Pittsburg, KS 66762-4701
daron.hall@pittks.org

Mayor Mike Boehm
City of Lenexa
17101 W 87th St Pkwy
Lenexa, KS 66219
michael.boehm@commercebank.com

Amy Burton, City Clerk
City of Ellis
815 Jefferson
Ellis, KS 67637-2200
ellisclerk@eaglecom.net

Jeff Cantrell, City Manager
City of Hutchinson
125 E Avenue B
Hutchinson, KS 67504-1567
jeff.cantrell@hutchgov.com

Mayor Terry Somers
City of Mount Hope
112 W Main St
Mount Hope, KS 67108-8831
tssomers1@gmail.com

Commissioner Joyce Warshaw
City of Dodge City
806 N 2nd Ave
Dodge City, 67801-4411
joyce.warshaw@me.com

Toni Wheeler, City Attorney
City of Lawrence
6 E 6th St
Lawrence, KS 66044-2268
twheeler@lawrenceks.org

See full nominating details in the August/September 2020 *Kansas Government Journal*.





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DEPT. OF LABOR RULE CLARIFIED ON EMPLOYEES UNDER FLSA

The Federal Register published a U.S. Department of Labor proposed rule offering clarity to the determination whether a worker is an employee under the Fair Labor Standards Act (FLSA) or an independent contractor.

In the proposed rule, the Department would:

- Adopt an “economic reality” test to determine a worker’s status as an FLSA employee or an independent contractor. The test considers whether a worker is in business for himself or herself (independent contractor) or is economically dependent on a putative employer for work (employee);
- Identify and explain two “core factors,” specifically: the nature and degree of the worker’s control over the work; and the worker’s opportunity for profit or loss based on initiative and/or investment. These factors help determine if a worker is economically dependent on someone else’s business or is in business for himself or herself;
- Identify three other factors that may serve as additional guideposts in the analysis including: the amount of skill required for the work; the degree of permanence of the working relationship between the worker and the putative employer; and whether the work is part of an integrated unit of production; and
- Advise that the actual practice is more relevant than what may be contractually or theoretically possible in determining whether a worker is an employee or an independent contractor.

This Notice of Proposed Rulemaking is available for review and public comment for 30 days at <https://www.dol.gov/agencies/whd/flsa/2020-independent-contractor-nprm>

The Department encourages interested parties to submit comments on all aspects of the proposed rule and reminds them that such comments must be submitted on or before October 26, 2020 to be considered and can be submitted at <https://beta.regulations.gov/>

"IF I WERE MAYOR" CONTEST TO BE POSTPONED UNTIL 2021

Due to COVID-19, the League is not releasing the 2020 "If I Were Mayor" contest information yet. We think teachers and administrators have enough on their plates right now with remote learning, dealing with social distancing, etc. so we're going to roll out this program in the spring of 2021 instead. Look for details on the contest in December 2020 but if you have questions in the mean time, contact, please contact *Tami Martin*.

LEAGUE AND KANSAS DEPARTMENT OF REVENUE OFFERING WEBINAR

Amy Kramer, Financial Economist for the Kansas Department of Revenue, will provide an overview of the new portal for tax payments from cities. She will answer questions about the process of using this for timesaving tax administration. Register today for this webinar: https://us02web.zoom.us/join/zoom/register/WN_LIDHvkL-TK-NlcA20yvRwQ



Kansas Department of Revenue Customer Service Center

Free Webinar for Cities October 29 @ 11:00 a.m.