

IN THE SUPREME COURT OF THE STATE OF KANSAS

ADMINISTRATIVE ORDER NO. 299

Re: Paid Parental Leave

FILED

DEC 28 2018

**DOUGLAS T. SHIMA
CLERK OF APPELLATE COURTS**

On and after December 28, 2018, the Kansas Judicial Branch will provide paid parental leave for employees under the terms and conditions of the attached policy. An employee whose child was born to or placed with the employee for adoption in the twelve weeks preceding December 28, 2018, may receive paid parental leave for the remainder of the twelve week period specified in the attached rule; however, the paid leave may not exceed six weeks.

Paid parental leave may not be substituted for leave taken prior to the effective date of this order.

BY ORDER OF THE COURT this 28th day of December, 2018



for L.R.N.

Lawton R. Nuss

Chief Justice

Attachment

8.16 Parental Leave

The Kansas Judicial Branch will provide paid parental leave to eligible employees for the purpose of giving a parent time to bond with the parent's new child under the following terms and conditions:

1. A regular employee is eligible to receive up to six weeks of paid parental leave following the birth of the employee's child or the placement of a child who is 17 years old or younger with the employee in connection with adoption. The fact that a multiple birth or adoption placement occurs does not increase the six-week total amount of paid parental leave granted for that event. An employee will not receive more than six weeks of paid parental leave in a rolling 12-month period, regardless of whether more than one birth or adoption placement event occurs within the 12-month time frame. For the purpose of this rule, a "week" of leave is equal to the number of hours an employee is regularly scheduled to work in a week. A temporary employee is not eligible to receive parental leave under this rule.
2. An employee must provide a written request for parental leave to the employee's appointing authority at least 30 days in advance of the need for parental leave, where practical, for approval. The appointing authority will determine whether the employee meets the eligibility requirements of the parental leave policy, and may deny the request. The appointing authority's decision is final and not subject to appeal. At any time during the use of parental leave, the appointing authority may require additional documentation. If the employee fails to provide the documentation, the use of parental leave may be terminated.
3. Approved parental leave must be taken within the 12 weeks immediately following the birth or placement of the child. Intermittent leave or leave on a reduced work schedule may be given for parental leave only if the appointing authority finds it to be in the best interest of the judicial branch and documents that finding in writing. An employee is not eligible for payment of any unused paid parental leave at the end of the 12-week time frame or upon termination.
4. Parental leave is compensated at 100 percent of the employee's regular, straight-time pay. Parental leave will be paid on a biweekly basis on regularly scheduled pay dates.
5. Parental leave must run concurrently with FMLA leave if the employee is eligible for FMLA leave under KCPR 8.13. An employee who takes parental leave and who does not qualify for FMLA leave will be afforded the same level of job protection for the period of time that the employee is on paid parental leave as if the employee was on FMLA-qualifying leave.