

IN THE SUPREME COURT OF THE STATE OF KANSAS

Administrative Order No. 67

Re: Amendments to the Rules Relating to the  
Kansas Court Personnel System

Rules 1.4jj, 4.13, 8.3, and 8.5 of the Rules Relating to  
the Kansas Court Personnel System are hereby rescinded and  
replaced by the attached pages.

BY ORDER OF THE SUPREME COURT this 22 day of March 1989.



ROBERT H. MILLER  
Chief Justice

Attachments

- aa. Permanent Full-time Position. A position scheduled for full-time work, i.e., five days per week, and carried on a table of organization. A federally funded position shall be considered permanent only during the duration of the grant or grants unless subsequently state funded.
- bb. Position. An individual job within the judicial system.
- cc. Primary Duties. The principal tasks which are assigned to a position.
- dd. Probationary Period. The designated period following probationary appointment or a trial period following a "below standard" or "unacceptable" performance evaluation. A probationary period shall commence on the date which marks the beginning of the next full pay period (i.e., the 18th of any month). (Reference 5.20.)
- ee. Promotion. Appointing an employee from one class to another class at a higher pay grade.
- ff. Reclassification. The assignment of a position from one class of work to another.
- gg. Seniority. For the purpose of determining layoffs, seniority shall include all periods of employment by the Judicial Branch subsequent to January 10, 1977, and all periods of employment by the district court, Supreme Court, or one of the courts identified in K.S.A. 20-335 as being abolished by the court unification act, for periods of employment prior to January 10, 1977.
- hh. Sexual Harassment. Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonable interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
- ii. Step. Incremental pay increases within a grade.

jj. Step-for-Step. A salary adjustment, either up or down, which results in the employee being moved to the same step within ~~his~~ the new grade as ~~he~~ was occupied in ~~his~~ the former grade.

#### 4.13 Individual Salary Increases

- a. Recommendations for merit increases shall be made by the appointing authority in writing on forms provided by the Personnel Officer and shall be based upon performance evaluation standards and other pertinent data.
- b. The amount of each merit increase shall be one step in the salary grade assigned except as otherwise provided in these rules.
- c. An employee may be eligible for a merit increase after six full months' employment at Step A and Step 1. (Reference KCPR 1.4w.)
- d. An employee shall be eligible and may be recommended for advancement to the next step on the pay grade after one years' service at step B, 2, C, and 3, and three years' service at step D through D15. All salary increases shall be implemented as set forth in subsection 4.7.

~~e. For those nonjudicial employees whose classifications are affected by the Clerical Study to be implemented December 18, 1987, merit dates shall be subject to the following:~~

~~1. Employees who received a merit increase between June 18 and November 18, 1987, will have a new merit increase date computed from December 18, 1987, based on the time on step requirement for the step they are placed on through the upgrade process.~~

~~2. Employees who are eligible for a merit increase effective December 18, 1987, will receive their merit first and then the upgrade.~~

~~3. Employees who have original merit increase dates between January 18 and May 18, 1988, will receive their merit on March 18, 1988. Future eligibility for merit increases would be computed from this date based on the time on step requirements.~~

~~4. Employees originally on step D before the upgrade and who have a merit increase date on June 18, 1988, will retain this merit date. Future eligibility for merit increases would be computed from this date based on the time on step requirements.~~

~~5. Employees who are on steps L3 to L18 will receive their merit increase December 18, 1987 through the upgrade process. Future eligibility for merit increases would be computed from this date based on the time on step requirements.~~

~~f. For those nonjudicial employees whose classifications are not affected by the Clerical Study but are affected by the pay plan conversion, merit dates shall be subject to the following:~~

~~1. Employees who are on steps HS and HS 1 will move to step A on the new pay plan. Their next~~

~~merit increase date would be calculated from  
December 18, 1987, based on the time on step  
requirements for step A on the new pay plan (6  
months).~~

~~2. Employees who are on steps A or A1 and who have  
spent six months or longer on these steps as of  
December 18, 1987, would receive an increase to  
the next step on December 18, 1987.~~

~~3. Employees who are on steps A or A1 and who have  
less than six months' service on these steps  
would be eligible to move to the next step when  
the 6 month time on step requirement is met.~~

~~4. All other employees who do not fall under #1,  
#2, and #3 will retain their normal merit  
increase date.~~

### 8.3 Sick Leave

- a. Sick leave shall be earned by all full-time and permanent part-time employees at the rate of one day per pay period from the date of initial employment. In the case of permanent part-time employees, leave shall be accrued in proportion to percentage of time worked. (Reference KCPR 8.9e.)
- b. Sick leave may be accrued without limit.
- c. Accrued sick leave may be utilized for periods of disability due to pregnancy, miscarriage, abortion, childbirth, or complications thereof, on the same basis as disability due to other causes.
- d. Accrued sick leave may be authorized for illness or disability, including pregnancy, childbirth, miscarriage, abortion, and recovery therefrom, of a member of the employee's family when the illness or disability reasonably requires the employee to be absent from work. ~~An employee shall not use more than five working days of sick leave in a fiscal year for this purpose. The fiscal year begins on June 18, and ends on June 17, the following year. This rule is effective June 18, 1987. (Reference~~ KCPR 1.41.)
- e. A doctor's statement of disability may be required by a supervisor to be submitted with any request for sick leave for a period longer than three working days. A doctor's statement or statements of disability are required and copies must be filed with the Personnel Officer in support of authorization of sick leave for more than 19 working days.
- f. Once sick leave is exhausted, annual leave or leave without pay may be granted at the discretion of the administrative authority.

- g. For the purpose of computing sick-leave balances available to an employee as of December 18, 1978, each employee will be credited with six days of sick leave per year of continuous service with any state court or state agency.
- h. Previous service with county governments shall be used for the purpose of computing sick leave balances available to district court employees for those persons employed by the court as of January 1, 1979.



## 8.5 Leave Without Pay

- a. Upon written request of an employee, excluding those on temporary or extended temporary appointments, and written recommendation of the immediate supervisor and department head (if any), leave without pay may be authorized by the appointing authority when it is in the best interest of the Kansas Judicial Branch. Such authorization shall be in writing and copies of the request, recommendations, and authorization shall be sent to the Personnel Officer.
- b. A tenured employee may utilize leave without pay for up to six months for childbearing, the adoption of a child by the employee, the initial placement of a foster child in the home of an employee, illness, temporary disabilities, or other good and sufficient reason. (Reference 8.3f). Such request and authorization shall be made in such a form as prescribed in subsection a.
- c. Authorization of leave without pay may be extended for tenured employees by the appointing authority up to a total of one year, when it is in the best interest of the Kansas Judicial Branch. Such request and authorization shall be made in a manner prescribed in subsection a.
- d. A probationary employee, excluding those on temporary or extended temporary appointment may utilize leave without pay for up to sixty (60) calendar days for childbearing, the adoption of a child by the employee, the initial placement of a foster child in the home of an employee, illness, temporary disabilities, or other good and sufficient reason (Reference 8.3f). The appointing authority

may request in writing to the Personnel Officer for approval to extend such leave, provided the total duration of the leave does not exceed six months, if the appointing authority deems it necessary for the period of leave to be longer than prescribed in this subsection. The employee's probation period shall be continued effective when the employee returns from leave until the total probation time actually served equals the time required under KCPR 5.20.

- e. An employee on leave without pay who accepts other employment shall be deemed conclusively to have resigned employment with the courts. Exceptions for bona fide reasons to this subsection shall be in writing and approved by the Judicial Administrator.
- f. The Kansas Judicial Branch will not assume financial responsibilities for benefits during a leave without pay period which is 30 calendar days or longer. Annual and sick leave do not accrue during the leave period. The leave-without-pay period will not count towards state service for annual leave accrual purposes.
- g. At the conclusion of the leave-without-pay period, the employee is entitled to return to a position in the same class which he or she left. Annual and sick leave do not accrue during the leave period.
- h. Failure to report to work at the expiration of authorized leave without pay shall be considered a resignation.
- i. Leave without pay earlier granted may be set aside only by mutual agreement of the employee and the appointing authority.