

SENATE BILL No. 207

By Committee on Federal and State Affairs

2-11

1 AN ACT concerning employment; requiring employers to allow leave for
2 certain purposes; parents attending court pursuant to the revised Kansas
3 code for care of children or the revised Kansas juvenile justice code;
4 duties of secretary of labor; amending K.S.A. 2014 Supp. 44-1133 and
5 repealing the existing section.
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 New Section 1. (a) An employer may not discharge or in any manner
9 discriminate or retaliate against an employee who is a parent for taking
10 time off from work to attend a court proceeding pursuant to the revised
11 Kansas code for care of children or the revised Kansas juvenile justice
12 code.

13 (b) (1) As a condition of taking time off for a purpose set forth in
14 subsection (a), the employee shall give the employer reasonable advance
15 notice of the employee's intention to take time off, unless such advance
16 notice is not feasible. Within 48 hours after returning from the requested
17 time off, the employee shall provide documentation which may include,
18 but is not limited to, that described in subsection (b)(2) to support taking
19 time off for a purpose set forth in subsection (a).

20 (2) When an unscheduled absence occurs, the employer shall not take
21 any action against the employee if the employee, within 48 hours after the
22 beginning of the unscheduled absence, provides a certification to the
23 employer in the form of evidence from the court or a prosecuting attorney
24 that the employee has appeared in court for a purpose set forth in
25 subsection (a).

26 (c) To the extent allowed by law, the employer shall maintain the
27 confidentiality of any employee requesting leave under subsection (a), as
28 well as the confidentiality of any supporting documentation provided by
29 the employee to the employer relating to a purpose set forth in subsection
30 (a).

31 (d) An employee may use any accrued paid leave or, if paid leave is
32 unavailable to the employee, unpaid leave, not to exceed a total of eight
33 days per calendar year, as time off for a purpose specified in subsection
34 (a), unless a longer period of time is otherwise available to an employee
35 under the applicable terms of employment or is provided by a collective
36 bargaining agreement. The entitlement of any employee under this section

1 shall not be diminished by any collective bargaining agreement term or
2 condition.

3 Sec. 2. K.S.A. 2014 Supp. 44-1133 is hereby amended to read as
4 follows: 44-1133. The secretary of labor shall enforce K.S.A. 2014 Supp.
5 44-1131~~and~~, 44-1132 *and section 1*, and amendments thereto, and may
6 adopt rules and regulations necessary to implement the provisions of
7 K.S.A. 2014 Supp. 44-1132 *and section 1*, and amendments thereto.

8 Sec. 3. K.S.A. 2014 Supp. 44-1133 is hereby repealed.

9 Sec. 4. This act shall take effect and be in force from and after its
10 publication in the statute book.