Supreme Court of Kentucky

2020-24

ORDER

IN RE: SPECIAL EMERGENCY DIRECTED LEAVE FOR KENTUCKY COURT OF JUSTICE EMPLOYEES IN A PANDEMIC OR PUBLIC HEALTH EMERGENCY

On March 6, 2020, Governor Beshear entered Executive Order 2020-215 and declared a State of Emergency in response to the novel coronavirus (COVID-19) emergency in the Commonwealth. In light of this measure and to protect the health and safety of court employees, elected officials, and the general public, the Supreme Court has entered administrative orders to promote social-distancing measures by closing all judicial facilities to in-person services and requiring court proceedings to be conducted remotely, except in limited circumstances. The Administrative Office of the Courts also issued the Kentucky Court of Justice Pandemic or Public Health Emergency Staffing Guide to reduce risk, implement social distancing among court personnel, and provide guidance on leave policies and working remotely.

COVID-19 affects everyone differently. Some individuals are at a higher risk for severe illness from COVID-19 because of their age or an underlying medical condition. For these individuals, it is critical that they not be exposed to environments that carry a heightened risk of exposure. Accordingly, to limit the spread of infectious disease and minimize exposure for KCOJ employees who are at a higher risk for severe illness from COVID-19, the Supreme Court hereby authorizes the use of Special Emergency Directed Leave according to the following guidelines:

1. An employee is authorized to receive Special Emergency Directed Leave if he or she is unable to telecommute and if he or she is over the age of 65 or suffers from a condition that the Centers for Disease Control and Prevention (CDC) has identified as placing him or her at a high risk for severe illness from COVID-19.

2. No employee shall claim more than 7.5 hours of Special Emergency Directed Leave in any work day.

3. Part-time employees shall not claim more than 80 hours of Special Emergency Directed Leave in a calendar month.

4. Special Emergency Directed Leave hours are not a guarantee to any employee.

5. A full-time employee approved for Special Emergency Directed Leave who does not have at least 100 work hours and/or other paid leave in a month will still receive health benefits and continue to accrue sick leave and months of service but will not accrue annual leave.

6. Requests for Special Emergency Directed Leave must be submitted to the AOC Department of Human Resources for approval.

7. Employees approved to use Special Emergency Directed Leave must observe and strictly follow all restrictions and orders issued by the Governor during the State of Emergency, including but not limited to restrictions on travel, social distancing and isolation or quarantine. Failure to follow these restrictions and orders may result in loss of the Special Emergency Directed Leave and any resulting pay and benefit for any previously approved absence from work.

This Order shall be effective immediately and until May 31, 2020, or until further Order of this Court.

Entered this 14th day of April 2020.

CHIEF JUSTICE

All sitting; all concur.