Rescinded 12-01-20 by 2020-PR-122

IN THE SUPREME COURT OF THE STATE OF KANSAS

Administrative Order

2020-PR-062

Re: Returning Judiciary Workforce Back to Buildings

FILED
JUN 11 2020
DOUGLAS T. SHIMA
CLERK OF APPELLATE COURTS

Effective Monday, June 15, 2020, this order rescinds the last sentence of Administrative Order 2020-PR-013 (relating to administrative leave), Administrative Order 2020-PR-022 (same), and paragraph 2 of Administrative Order 2020-PR-015 (relating to travel). This order addresses administrative leave, self-quarantine related to travel, workforce travel, and in-person trainings.

Beginning on March 12, 2020, with 2020-PR-013, this court has issued a series of administrative orders addressing steps to be taken by courts in response to the novel coronavirus (COVID-19) pandemic. Those orders have restricted court functions or methods of operation as necessary to secure the health and safety of court users, staff, and judicial officers. Generally, these orders have required courts to follow the most restrictive measures ordered by the Governor of Kansas, the Kansas Department of Health and Environment, or local public health officials and to follow public health guidance of local and state public health officials as well as the Centers for Disease Control, and the Occupational Safety and Health Administration.

On May 1, 2020, this court issued two orders—2020-PR-048 and 202-PR-049—removing some of the restrictions within 2020-PR-016. These orders differentiated between courts in locations impacted by only Governor Laura Kelly's Executive Order No. 20-29 and those courts impacted by a more restrictive local order. Executive Order No. 20-29 implemented Phase One of "Ad Astra: A Plan to Reopen Kansas." Subsequently, Governor Kelly issued orders implementing later phases of the Ad Astra plan. On May 26, 2020, the Governor issued a proclamation making the Ad Astra plan guidance only and left to local governments the determination of whether to enter appropriate orders. On May 27, 2020, this court issued 2020-PR-054. The May orders began returning the judicial workforce to buildings while continuing to encourage telework to the extent possible. This order complements those orders.

1. A Kansas judicial branch workforce member will be required to self-quarantine and not report to his or her duty station for 14 days if he or she—or someone with whom he or she lives or is in close contact—has traveled or will travel after March 1, 2020, as follows:
    a. To any international location under a global level 3 or 4 health advisory from the United States State Department. For updates, see US travel restriction.
    b. To high risk areas in the United States currently mandated for self-quarantine by the Kansas Department of Health and Environment. Updates to this list by the Kansas Department of Health and Environment will be included without revision to this order. For updates, see www.kdheks.gov/coronavirus.
    c. On a cruise ship or river cruise (both international and domestic).

2. Workforce members required to quarantine may telework if telework is available, as determined by the appointing authority. Workforce members may also avail themselves of benefits under the Families First Coronavirus Response Act (FFCRA), if eligible. Workforce members who choose not to use available benefits under FFCRA and who are unable to telework may use personal leave or leave without pay pursuant to KCPR 8.5.

3. Staffing in a courthouse and any court office should be limited to the following employees:
    a. those who are necessary to serve members of the public or whose physical presence in the courthouse or court office is necessary for the performance of the employee's duties; and
    b. those who can be accommodated with appropriate social distancing.

4. To the extent possible, telework should be used to enable full productivity while operating with fewer staff in the courthouse or court office. A chief judge of a district court may authorize employees to telework. Any person authorized to telework must

complete a teleworking notice and agreement provided by the Office of Judicial Administration, unless one has already been completed.

5. An appointing authority should contact the director of personnel at the Office of Judicial Administration, or her designee, if any employee expresses concern about working conditions or about health risks in the workplace.

6. To the extent possible, work schedules should be arranged to minimize the number of employees affected if workplace exposure occurs. Thorough cleaning should occur between any rotations of personnel.

7. If safely having workforce members in court facilities or providing telework options cannot be accomplished, the appointing authority may work with the director of personnel and the departmental justice to determine limited use of administrative leave.

8. To assure the safety of court facilities, if a member of the workforce has an elevated temperature at or over 100.4°F or exhibits two or more COVID-19 symptoms in the workplace, an appointing authority, after consultation with the director of personnel, or designee, may direct the employee to leave the workplace. Upon consultation with the director of personnel, the required leave may be coded as administrative leave for up to two working days.

9. Kansas judicial branch workforce travel for meetings, conferences, trainings, or similar events is not allowed, although limited exceptions may be granted after consultation with and authorization by the Chief Financial Officer and Chief Justice. Unless authorized, no commitment for future workforce travel is to be made. Any nonrefundable travel expenses already incurred should be submitted for payment or reimbursement. Workforce members should seek vendor reimbursement before requesting state funding reimbursement.

10. All in-person trainings provided or organized by the Kansas judicial branch are canceled. Where possible, the judicial branch workforce will use digital options for meetings, trainings, or similar work tasks.

Dated this 11th day of June 2020. This order is effective June 15, 2020.

FOR THE COURT

Marla Luckert

MARLA LUCKERT
Chief Justice