AN ACT concerning employment; relating to sick leave benefits and the care of family members.

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

Section 1. (a) If an employer provides personal sick leave benefits to an employee, the employee may use the sick leave benefits provided by the employer for absences due to an illness, injury or medical appointment of the employee's child, stepchild, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent or stepparent on the same terms upon which the employee is able to use sick leave benefits for the employee's own illness, injury or medical appointment, except as limited by an employer as permitted by subsection (b).

(b) An employer may limit the use of personal sick leave benefits provided to an employee by the employer for absences due to an illness, injury or medical appointment of the employee's child, stepchild, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent or stepparent to an amount not less than the personal sick leave that would be accrued during six months at the employee's then-current rate of entitlement to sick leave benefits.

(c) For purposes of this section, "personal sick leave benefits" means time accrued and available to an employee to be used as a result of absence from work due to personal illness, injury or medical appointment but does not include absences from work for which compensation is provided through an employer's short or long-term disability plan.

(d) For purposes of this section, "employer" means any public or private employer, including any individual or type of organization, including, but not limited to, any partnership, association, limited liability company, agency or department of the state of Kansas and political subdivisions thereof, municipality, institution, trust, estate, joint-stock company, insurance company or corporation, whether domestic or foreign, including nonprofit corporations, or the receiver, trustee in bankruptcy, trustee or successor thereof, or the legal representatives of a deceased person that has in its employ one or more individuals performing services for it within this state.

(e) The rights and remedies provided in this section are cumulative and nonexclusive and are in addition to any other rights or remedies
afforded by contract or under any other provision of law. This section shall
not be construed to limit any rights provided to an employee under any
other provision of law or to prevent an employer from providing greater
sick leave benefits than those required under this section. This section shall
not be construed to extend the maximum period of leave to which an
employee is entitled under the family and medical leave act of 1993, 29
U.S.C. §§ 2601 et seq., whether or not the employee receives sick leave
compensation during the leave taken by the employee under the federal
law.

(f) An employer shall not deny an employee the right to use personal
sick leave benefits as provided by this section and shall not discharge,
threaten to discharge, demote, suspend or in any manner discriminate
against an employee for:

(1) Using or requesting to use the personal sick leave benefits;
(2) opposing any policy, practice or act of an employer that is not in
compliance with or is prohibited by this section;
(3) filing a complaint with a state or federal agency or authority
alleging a violation of this section; or
(4) cooperating in an investigation or prosecution of an alleged
violation of this section.

(g) The department of labor shall adopt rules and regulations to
implement the provisions of this section, including, but not limited to,
rules and regulations setting forth procedures for employee recourse in
cases of violations of this section.

Sec. 2. This act shall take effect and be in force from and after its
publication in the statute book.