

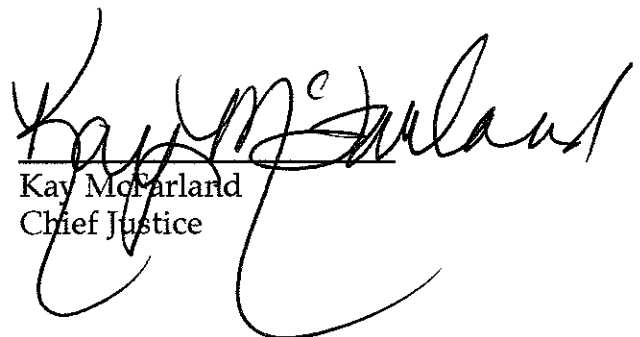
IN THE SUPREME COURT OF THE STATE OF KANSAS

Administrative Order 150

Re: Amendment of the Rules Relating to Kansas Court Personnel

Rules 4.7, 4.10, 4.12, and 5.20 of the Rules Relating to Kansas Court
Personnel are hereby rescinded and replaced by the attached pages.

BY ORDER OF THE COURT this 12th day of July, 2000.



Kay McFarland
Chief Justice

Attachment

4.7 Beginning Pay

- a. Initial appointment to any position with the Judicial Branch shall be at ~~step 1~~ the entry level of the pay grade assigned to the classification in which the position is assigned. Upon ~~recommendation request~~ of the appointing authority and the Personnel Officer, the Judicial Administrator may seek approval from the Chief Justice for compensation up to step 5 when the needs of the court system make such action necessary. ~~Exceptions Requests~~ must be based on either: 1) An employee's outstanding and unusual experience and ability ~~beyond the qualification requirements specified for the position, or~~ and 2) A critical shortage of qualified applicants exists.

- b. As part of the request, the appointing authority must submit:
 1. A list of other employees in the district serving in the same job classification and the pay step of each;
 2. A copy of the advertisement for the position conforming to the judicial branch job specification for the job classification, the name of the newspaper, and date(s) of publication;
 3. A copy of the notice of posting distributed through the judicial branch; and
 4. A list of the other applicants showing why each was not qualified.

4.10 Pay of an Employee Appointed to a Higher Classification
Pay Upon Promotion or Upgrade

- a. ~~An employee promoted or appointed to a class having a higher pay grade shall be paid at the pay step immediately above the employee's current pay or step 1 A of the higher grade, whichever is higher. An employee on Step A of any pay grade who is promoted or whose class is upgraded shall be moved to step A of the new grade.~~
- b. ~~If a promotional increase under (a) above is only one step, the appointing authority may recommend an additional step increase for an employee who has not received a merit step increase during the nine months prior to the promotion. An employee on Step B of any pay grade who is promoted or whose class is upgraded shall be moved to step B if the new grade is one grade higher than the original grade. If the new grade is two or more grades higher than the original grade, the employee shall move to step A.~~
- c. ~~Approval of a recommendation for a two-step promotional pay increase by the Personnel Officer shall be subject to availability of appropriation~~
An employee on step C of any pay grade who is promoted or whose class is upgraded shall be moved to step C if the new grade is one grade or two grades higher than the original grade. If the new grade is three or more grades higher than the original grade, the employee shall move to A.
- d. An employee on step D of any pay grade who is promoted or whose class is upgraded shall be moved to step D if the new grade is one grade or two grades higher than the original grade. If the new grade is three grades higher than the original grade, the employee will move to step C. If the new grade is four grades higher than the original grade, the employee will move to step B. If the new grade is five or more grades higher than the original grade, the employee will move to step A.
- e. An employee on step E of any pay grade who is promoted or whose class is upgraded shall be moved to step E if the new grade is one grade or two grades higher than the original grade. If the new grade is three grades higher than the original grade, the employee will move to step D. If the new grade is four or five grades higher than the original grade, the employee will move to C. If the new grade is six or more grades higher than the original grade, the employee will move to A.
- f. An employee on step C or D who is promoted or whose class is upgraded and whose time on step is equal to or greater than 75% of the time required for movement to the next step may receive an additional step increase if the increase is requested by the appointing authority, and approved by the Personnel Officer.

4.12 Individual Pay 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 review standards and other pertinent data. A performance review rating of at least "satisfactory" is required before an employee may receive a merit increase.
- b. The amount of each merit increase shall be one step in the pay grade assigned except as otherwise provided in these rules.
- c. ~~An employee may receive a merit increase after 6 months of employment at Step 1. If retained in their position, an employee shall be eligible for a merit increase after 6 months of employment at Step 2.~~
An employee shall be eligible to move from step A to step B after 6 months of service and a rating of at least "satisfactory" for each of the standards evaluated on the employee progress report (EV-3).
- d. ~~An employee shall be eligible and may be recommended for advancement to the next step of the pay grade after 12 months of service each at Step C 3 through Step 15. All pay increases shall be implemented as set forth in subsection 4.6, at 13.~~
An employee on step A who does not receive a step B increase is eligible to move to step C after 12 months of service and receipt of an overall rating of at least "satisfactory" on a performance review (EV-2). If such an employee on Step A does not receive an overall rating of "satisfactory", the employee shall be terminated. Termination of employment pursuant to this section cannot be appealed.
- e. An employee shall be eligible to move from step B to C after 6 months service and an overall rating of at least "satisfactory" on a performance review (EV-2). The employment of an employee on step B who receives an overall rating of "unsatisfactory" on a performance review shall be terminated, except as provided below.

An employee who was hired at step B or who, upon a change in classification, moved directly to step B and who does not receives a rating of at least "satisfactory" for each of the standards evaluated on the employee progress report (EV-3) may be terminated or may be kept on step B for an additional 6 months. At the end of this second 6 month period, the employee shall be terminated upon receiving an overall rating of "unsatisfactory" or will be eligible to move to step C upon receiving an overall rating of at least "satisfactory."

Termination of employment pursuant to this section cannot be appealed.

- f. An employee shall be eligible to move from step C to step D after serving at least 3 years on step C, receiving 3 performance reviews (EV-2) with a rating of at least "satisfactory", and achieving full performance for the employee's classification.

- g. An employee shall be eligible to move from step D to step E after at least 4 years of service on step D and receiving 4 performance reviews (EV-2) with a rating of at least “satisfactory”.**

5.20 Probation

Probation is a working test of an appointee's ability to render satisfactory service in the position in which employed. Supervisors shall instruct and train on matters pertaining to the position, as well as monitor job performance. During probationary periods, employees shall not be entitled to the rights granted under KCPR 12.0 et seq and 13.0 et seq. Probationary employees shall accrue sick and vacation leave and length of service for longevity purposes.

The following rules apply to all probationary periods:

- a. All appointments are conditional and subject to a probationary period. Probationary periods shall be for ~~6-12~~ months. ~~except as provided below. The Personnel Officer may extend an employee's probationary period for an additional 6 months at the appointing authority's request. This period shall be known as an extended probationary period. Action to extend a probationary period must be taken prior to the expiration of the first 6 month period.~~
- b. ~~Certain professional, managerial, or supervisory positions or job classifications may require a longer probationary period than 6 months due to greater job complexity. The Judicial Administrator is authorized to establish probationary periods of up to over 1 year for appointments and promotions to such positions. No further action is required to extend the probationary period after the first 6 months.~~
- c. An employee shall be granted permanent status upon successful completion of the employee's probationary period(s) and upon the affirmative recommendation of the appropriate appointing authority.
- c.d. Except as provided in Rule 5.21, if, at any time during a probationary or ~~extended~~ probationary period, the appointing authority determines the probationary employee's performance has been "unsatisfactory," the employee may be dismissed without the right of appeal or hearing. The reason shall be in writing and submitted to the Personnel Officer and employee.
- e. ~~Total length of time spent on probation shall not exceed 1 year in length.~~
- d.f. Time spent on leave with or without pay for more than 30 days shall not be counted towards fulfillment of an employee's probationary period. The duration of an employee's probationary period must be completed upon returning to work.