

**304.53-020 Definitions for section -- Types of employee leave covered.**

- (1) As used in this section, unless the context requires otherwise:
  - (a) "Armed Forces of the United States" includes members of the:
    1. National Guard; and
    2. The United States Armed Forces Reserves;
  - (b) "Child" includes a person who is:
    1. Either:
      - a. Under eighteen (18) years of age; or
      - b. Eighteen (18) years of age or older and incapable of self-care because of a mental or physical disability; and
    2. One (1) of the following:
      - a. The employee's biological, adopted, or foster son or daughter;
      - b. The employee's stepson or stepdaughter;
      - c. The employee's legal ward;
      - d. A son or daughter of the employee's domestic partner; or
      - e. A person to whom the employee stands in loco parentis;
  - (c) "Family member" includes:
    1. An employee's child, spouse, or parent; and
    2. Any other person defined as a "family member" in a paid family leave insurance policy or contract;
  - (d) "First responder" includes:
    1. A peace officer;
    2. A paid or volunteer emergency medical services or rescue personnel;
    3. A paid or volunteer member of an organized fire department; and
    4. Personnel of a private not-for-profit organization providing fire, rescue, or emergency medical services; and
  - (e) "Parent" includes:
    1. The employee's biological, foster, or adoptive parent;
    2. The employee's stepparent;
    3. The employee's legal guardian; and
    4. A person who stood in loco parentis to the employee when the employee was a child.
- (2) Paid family leave insurance may provide benefits for any leave taken from work by an employee:
  - (a) To participate in providing care, including physical or psychological care, for a family member because of:
    1. A serious health condition of the family member; or
    2. Any other reason specified in the policy or contract;
  - (b) To bond with a child during the first twelve (12) months after the child's birth,

- adoption, or placement with the employee for foster care;
- (c) To address a qualifying exigency recognized under the federal Family and Medical Leave Act, 29 U.S.C. sec. 2612(a)(1)(E) and 29 C.F.R. sec. 825.126, as amended, relating to a family member who is on covered active duty, or has been notified of an impending call or order to covered active duty, in the Armed Forces of the United States;
  - (d) To care for a family member that is:
    - 1. Either:
      - a. In the Armed Forces of the United States; or
      - b. A first responder; and
    - 2. Injured in the line of duty; and
  - (e) For any other reason not based on the employee's disability specified in the policy or contract.

**Effective:** April 5, 2024

**History:** Created 2024 Ky. Acts ch. 99, sec. 6, effective April 5, 2024.