

Kansas Administrative Regulations

Department of Administration

Article 5.—Compensation

1-5-30. Benefits for employees activated to military duty.

(a) Each employee who is ordered to report for active military service upon the activation of the National Guard and reserve units by presidential order, or who volunteers for this active duty, shall be eligible for the following benefits:

(1) The employee shall continue to accrue length of service, but shall not accrue vacation or sick leave. Upon return to work, the employee's vacation leave accrual rate shall be increased to the appropriate level if the length of service the employee accrued while on military leave qualifies the employee for a higher accrual rate.

(2) A death benefit shall be payable if the employee dies while on active military duty. The death benefit shall be in an amount equal to the amount provided by the group term life insurance through the Kansas public employees retirement system that the employee would have received at the time of death if the employee had not been on active duty. The employing state agency at the time the employee entered active duty shall pay the death benefit. The death benefit shall be paid to the employee's beneficiary or beneficiaries, as designated on forms approved by the director of personnel services. If no beneficiary has been designated, the death benefit shall be paid to the estate of the employee. The provisions of this paragraph shall be applicable to each state employee who meets the following conditions:

(A) Immediately before entering active duty, was eligible for the insured death benefit provided under K.S.A. 74-4901 *et seq.*, and amendments thereto, and funded by the employing agency; and

(B) would not, at the time of death, be eligible for the death benefit described under paragraph (a)(2)(A).

(b) This regulation shall not apply to federal active duty for training purposes.

(c) This regulation shall be effective on and after June 5, 2005.

(Authorized by K.S.A. 75-3706 and K.S.A. 2004 Supp. 75-3747; implementing K.S.A. 75-3707 and 75-3746; effective, T-1-9-10-90, Sept. 10, 1990; effective Jan. 7, 1991; amended Jan. 6, 1992; amended Dec. 17, 1995; amended June 5, 2005.)

***** Authenticated Kansas Administrative Regulation *****