

Kansas Administrative Regulations

Department of Administration

Article 5.—Compensation

1-5-10. Pay of employee rehired by reinstatement or reemployment.

(a) Any person hired by reinstatement may be paid at the same step of the pay grade for the class to which the employee is reinstated as the step on which the employee was previously paid for the class that serves as the basis for the employee's eligibility for reinstatement. When an employee to be reinstated has exceptional qualifications and the agency cannot hire the person at the previous step, the agency's appointing authority may approve beginning pay at a higher step in the pay grade. Exceptional qualifications shall be based on the former employee's education, training, experience, skills, and other qualifications directly related to the vacant position.

(1) When a higher step in the pay grade has been established as the beginning pay for new hires to the class pursuant to K.A.R. 1-5-8 due to lack of candidates, the agency shall hire the employee at the higher beginning pay.

(2) Nothing in this subsection shall prevent a person from accepting reinstatement at a step lower than that on which the person was being paid in the class that serves as the basis for the employee's eligibility for reinstatement.

(b) The pay increase date for any person who is reinstated shall be governed by the time-on-step requirement of the step to which reinstated. Time-on-step in a previous position shall not count towards the time-on-step requirement.

(c)(1) Any person who is reemployed to the same class from which the person was laid off, or to a class with the same pay grade as that class, shall be paid at the same step of the pay grade as the step on which the person was being paid on the date the person was laid off, or any lower step of the pay grade.

(2) Any person who is reemployed to a class with a pay grade lower than the class from which the person was laid off shall be paid at one of the following rates:

(A) the same pay rate (dollar amount) as the rate the person was being paid immediately before being laid off, if the rate is on a step in the lower pay grade. If that

rate is within the pay grade for the class but not on a step, the person may be paid at the next lower step or the next higher step. However, in no case shall the person be paid above the maximum step of the lower pay grade; or

(B) a lower pay rate (dollar amount) than the person was being paid immediately before being laid off.

(d) In determining the pay increase date for any person who is reemployed to the class from which the person was laid off, to a class with the same pay grade as that class, or to a class with a pay grade lower than that class, the length of time the employee had spent on the last pay step immediately before the date the person was laid off shall count toward the time-on-step requirement. If the pay increase date for this person is less than six months after the date of reemployment, the agency may use the person's last performance review rating before layoff or may give a new performance review rating in determining the person's eligibility for a pay step increase, as provided in K.A.R. 1-5-19b.

(Authorized by K.S.A. 75-3747; implementing K.S.A. 75-2938, 75-2948 and K.S.A. 75-3746; effective May 1, 1979; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended May 1, 1984; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended, T-1-7-27-89, July 27, 1989; amended Nov. 20, 1989; amended Dec. 17, 1995; amended Sept. 18, 1998.)

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