

# **Kansas Administrative Regulations**

## **Department of Administration**

### **Article 5.—Compensation**

#### **1-5-28. Shift differential.**

(a) Each agency having multi-shift operations shall designate one or more shifts as a normal day shift. Each agency shall specify no more than 12 consecutive hours in the day from which normal day shifts may be designated. Each normal day shift shall fall entirely within those designated hours.

(b) Except as provided in subsection (e), a shift differential shall be paid to classified employees in positions eligible to receive overtime pursuant to K.A.R. 1-5-24 for hours worked on regularly established shifts other than the normal day shift or shifts. The shift differential shall not be paid to an employee for any time the employee is on any type of leave or holiday or when the employee works unscheduled hours before or after a normal day shift.

(c) Upon recommendation of the secretary, the amount of the shift differential shall be that amount set by executive directive of the governor. The amount shall be recommended by the secretary after consideration of pay survey data and other appropriate and relevant factors, which shall be reviewed at least annually.

(d) With regard to particular classes of employees, or particular agencies, or employees located in particular geographic areas of the state, a recommendation to extend or deny the shift differential authorized by this regulation may be submitted by the director of personnel services to the secretary. This extension or denial shall be effective when approved by executive directive of the governor.

(e) The head of each agency with employees engaged in law enforcement and fire fighting activities, as defined in 29 C.F.R. 553, as in effect on July 1, 1994, shall determine whether such employees will be eligible for shift differential as provided in this regulation and shall submit a written statement regarding such determination to the director. The determination as to eligibility for shift differential may be modified by

executive directive of the governor. This regulation shall be effective on and after December 17, 1995.

(Authorized by K.S.A. 1994 Supp. 75-3747; implementing K.S.A. 75-3746, and K.S.A. 75-2938, as amended by 1995 SB 175, § 4; effective, E-81-14, June 12, 1980; effective May 1, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1985; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended Jan. 6, 1992; amended July 26, 1993; amended Dec. 17, 1995.)

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