

**GENERAL GOVERNMENT CABINET**  
**Personnel Board**  
**(Amendment)**

**101 KAR 1:395. Restoration from military duty.**

RELATES TO: KRS 61.371-61.379

STATUTORY AUTHORITY: KRS Chapter 13A, 61.379

NECESSITY, FUNCTION, AND CONFORMITY: KRS 61.379 directs the Personnel Board to adopt administrative regulations to carry out the provisions of KRS 61.371 to 61.379.

Section 1. Restoration from Military Duty.

(1) If an employee advises their employer that they are leaving their position to perform military duty, the employer shall advise the employee in writing of their rights under KRS 61.371 to 61.379.

(2) An employee who returns from military duty and is denied restoration of employment shall be advised in writing of such denial by the employer.

(3) The required notice of denial by the employer shall include the employee's right to appeal to the Kentucky Personnel Board within the time limits prescribed by KRS 413.160.

(4) Appeals filed under this section shall be heard by the Board pursuant to 101 KAR 1:365.

*MARK A. SIPEK, Executive Director, Personnel Board*

APPROVED BY AGENCY: August 25, 2021

FILED WITH LRC: August 25, 2021 at 9:19 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 22, 2021, at 9:30 a.m. Eastern Time at 1025 Capital Center Drive, Suite 105, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through November 30, 2021. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Stafford Easterling General Counsel, Personnel Board, 1025 Capital Center Drive, Suite 105, Frankfort, Kentucky 40601, phone (502) 564-7830, fax (502) 695-5799, email [stafford.easterling@ky.gov](mailto:stafford.easterling@ky.gov).