

GENERAL GOVERNMENT CABINET
Personnel Board
(Amended at ARRS Committee)

101 KAR 1:395. Restoration from military duty.

RELATES TO: KRS 61.371-61.379, 413.160

STATUTORY AUTHORITY: KRS ~~Chapter 13A,~~ 61.379

NECESSITY, FUNCTION, AND CONFORMITY: KRS 61.379 ~~requires~~~~directs~~ the Personnel Board to ~~promulgate~~~~adopt~~ administrative regulations to carry out the provisions of KRS 61.371 ~~through~~~~to~~ 61.379. This administrative regulation establishes the procedure for employment restoration following military duty.~~[This administrative regulation will replace 101 KAR 1:390 which includes repetition of statutory language which is being repealed.]~~

Section 1. Restoration from Military Duty.

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

(2) An employee who returns from military duty and is denied restoration of employment shall be advised in writing of ~~the~~~~sueh~~ 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~~[state personnel board]~~ within the time limits ~~established~~~~prescribed~~ by KRS 413.160.

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

(15 Ky.R. 1724; Am. 2009; eff. 3-8-1989; 48 Ky.R. 1230, 2195; eff. 5-3-2022.)

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