

**KANSAS DEPARTMENT OF ADMINISTRATION
ECONOMIC IMPACT STATEMENT
K.A.R. 1-9-7b**

I. Summary of Proposed Amendments to Regulations, Including Purpose.

K.A.R. 1-9-7b is an existing regulation that provides for leave for State employees who are members of a reserve component of the military. The primary amendments to this regulation increase the number of days of annual paid military leave available to such employees and expand the type of duty for which such leave can be used. Additional amendments clarify that this leave is available to benefits-eligible State employees in both classified and unclassified positions as well as procedures regarding the requests for such leave.

II. Reason or Reasons the Proposed Regulation Is Required, Including Whether or Not the Regulation Is Mandated by Federal Law.

This regulation is necessary in order to provide for a specific type of leave for State employees who serve in a reserve component of the military to utilize during periods of required military duty. While components of the regulation regarding reemployment after a period of military service are mandated by the Federal Uniformed Services Employment and Reemployment Rights Act (38 U.S.C. § 4301, et. seq.), the provisions being amended are not.

III. Anticipated Economic Impact

The proposed amendments to K.A.R. 1-9-7b will potentially result in agencies granting more days of military leave with pay than they are currently required to pay. From October 2015 to October 2016, 270 employees in non-University, Executive Branch State agencies used military leave with pay. Of that number, 60% of the employees were from either the Adjutant General's Department or one of the Correctional Facilities under the Department of Corrections, and both of those agencies fully support the proposed amendment.

Even if the number of employees utilizing military leave with pay in a particular year were to increase substantially due to particular units being mobilized and deployed, the additional impact of the proposed amendment is more accurately identified from a financial perspective as a potential loss of unanticipated savings as opposed to an increase in expenditures. Employee salaries are budgeted on an annual basis and all but the very smallest of agencies do not factor anticipated periods of leave without pay, whether for military service or otherwise, into such annual estimates.

IV. Anticipated Financial Impact upon Other Governmental Agencies and upon Private Business or Individuals.

Not applicable. The proposed amendments would apply only to State employees.

V. Anticipated Economic Impact upon School Districts, Following Consultation with the Kansas Association of School Boards.

Not applicable. The proposed amendments would apply only to State employees.

VI. Less Costly or Intrusive Methods That Were Considered, but Rejected, and the Reason for Rejection.

The Department considered, but rejected, not making the proposed amendments or increasing the maximum number of annual days of paid military leave available to State employees by a smaller amount. It was determined that compelling reasons exist to amend the regulations as proposed in order to: 1) recognize the changes that have taken place with respect to the mobilization of military units prior to deployment since this regulation and the current maximum number of annual days of paid military leave were first implemented; 2) allow eligible employees more flexibility in utilizing such leave for a broader range of required military duty; and 3) clarify and simplify the process by which such leave is requested and substantiated.