

61.394 State employees' leave of absence -- Pay -- Unused military leave.

- (1) All officers and employees of this state, or of any department or agency thereof who are members of the National Guard or of any reserve component of the Armed Forces of the United States, or of the reserve corps of the United States Public Health Service, shall be entitled to leave of absence from their respective duties, without loss of time, pay, regular leave, impairment of efficiency rating, or of any other rights or benefits to which they are entitled, while:
 - (a) In the performance of duty or training in the service of a state or of the United States under competent orders as specified in this section;
 - (b) Physically disabled as a result of an injury, illness, or disease incurred or aggravated in the line of duty while performing active-duty or inactive-duty training; or
 - (c) Entitled to incapacitation pay pursuant to 37 U.S.C. sec. 204.Leave pursuant to paragraphs (b) and (c) of this subsection shall not exceed six (6) months unless approved by the employee's appointing authority.
- (2) In any one (1) federal fiscal year, officers or employees, while on military leave, shall, upon request, be paid their salaries or compensations for a period or periods not exceeding twenty-one (21) calendar days. Any unused military leave in a federal fiscal year shall be carried over to the next year. Any unused military leave shall expire two (2) years after it has accrued.

Effective: July 14, 2022

History: Amended 2022 Ky. Acts ch. 44, sec. 1, effective July 14, 2022. -- Amended 2018 Ky. Acts ch. 82, sec. 3, effective July 14, 2018. -- Amended 2006 Ky. Acts ch. 194, sec. 2, effective July 12, 2006. -- Amended 2002 Ky. Acts ch. 95, sec. 2, effective July 15, 2002. -- Amended 1994 Ky. Acts ch. 434, sec. 1, effective July 15, 1994. -- Created 1962 Ky. Acts ch. 51, sec. 1.