



# Unified Government Human Resources Guide

Effective 04-01-05

## BREAKS IN EMPLOYMENT

- I. General: A break in employment severs benefits, seniority and the employment relationship.
- II. Policy
  - A. This policy concerns any individual who is reemployed by the Unified Government in full-time status after having been removed from the payroll for any reason.
  - B. Definitions:
    1. A break in employment is defined as that time an employee is not on payroll in full-time status as a result of retirement, resignation, termination, or lay off.
    2. **Not considered to be a break in employment:** being placed on suspension (paid or unpaid), a paid leave of absence, or any unpaid leave of absence. See also 5.7—Military Leave.
    3. The individual who is reemployed after being laid off for less than a year is a **recall**. See 2.12—Layoff/Recall. The individual who is reemployed after being laid off for more than a year is a rehire and is treated as a new employee with regard to benefits.
    4. The individual who is reemployed after resigning or being fired is treated as a new employee with regard to benefits.
  - C. Personnel records for the employee who has had a break in employment
    1. Date of Hire
      - a. For the recalled employee, the date of hire shall be the employment date prior to the layoff.
      - b. For the rehired employee, the date of hire shall be the most recent employment date.
    2. Seniority Date: the date that triggers benefits for which the particular employee is eligible.
      - a. For the recalled employee, the Seniority Date shall be the same as the Adjusted Hire Date prior to the layoff. The time the employee was off the payroll is ignored.
      - b. For the rehired employee, the Seniority Date shall be identical to the most recent Date of Hire.
  - D. The effects of a **recall** to Unified Government employment after being laid off for less than a year
    1. Probation: The employee recalled to a different position in the Unified Government shall only serve the type of probationary period that is required for the new position. If recalled to the former position, probation is not required.



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2. Accruing and accumulating sick leave: Any accrued, unused and unpaid sick leave existing at the time of the layoff shall be reinstated upon recall. No sick leave shall have been accrued while the employee was off the payroll.
3. Accruing and accumulating vacation time
  - a. The Seniority Date shall determine the amount of vacation the individual receives each year. No vacation credit shall have been accrued while the employee was off the payroll.
  - b. In the event the employee had been laid off before he/she had completed the first year of employment, the "lost" accrued vacation will be restored upon recall. Said vacation days shall be available for use on and after the later of: the first anniversary of the original date of hire or the January 1 following the Recall.
4. Group health care
  - a. Coverage for recalled employees begins the date the employee begins work. He/she does not have to wait the 30 days required for new employees.
  - b. The recalled employee may enroll in the plan of his/her choice.
  - c. The reemployed person must wait the requisite 30 days.

E. KPERS:

Employees recalled or rehired by the Unified Government within a year of separation are reinstated immediately into the Kansas Public Employee's Retirement System, unless they have withdrawn their contributions. If he/she has withdrawn the contributions, the recalled or rehired employee must go through the process of becoming a member again; however, once membership resumes, he/she may elect to repurchase the forfeited service. See the information booklet from the applicable retirement system.

RELATED POLICIES: 2.9 Probationary Period  
2.12 Layoff/Recall  
4.1 Health Care Benefits  
5.2 Vacation