



Any classified or unclassified employee who sustains a qualifying job injury rendering the employee unable to perform regular job duties and which arises out of and in the course of employment with the state and was sustained as a result of a shooting, stabbing, or aggravated battery as defined in K.S.A. 21-5413, by another against the employee; was sustained as a result of a confrontation with a patient or client in a mental health or mental retardation facility or ward wherein the client either inflicts great bodily harm, causes disfigurement, or causes bodily harm with a deadly weapon or in any manner whereby great bodily harm, disfigurement, dismemberment, or death can be inflicted. Qualifying job injuries shall not include injuries sustained as a result of the intentional actions of a co-worker. Job Injury Leave shall not exceed six total months away from work.

While an employee is on an approved Job Injury Leave, the employing state agency shall continue to pay the employee's regular compensation. If the employee is awarded worker's compensation, the state agency shall pay the employee compensation in an amount, which, together with worker's compensation pay, equals the regular pay of the employee. The employee shall not be required to use accrued sick leave or vacation leave. The employee shall continue to accrue Sick and Vacation Leave as long as the employee remains in pay status. Employees on approved Job Injury Leave shall be prohibited from being gainfully employed by any other employer.

All instances of Job Injury Leave must be approved by KDADS Deputy Director of Human Services, KDADS Central Office Senior Counsel over hospitals and Secretary of KDADS.

*Reference: K.A.R. 1-9-22; K.S.A. 21-5413*