

2023 Kansas Statutes

- 44-1118. Construction of act; applicability of act, exclusions.** (a) The provisions of this act shall be construed liberally for the accomplishment of its purposes.
- (b) Nothing in this act shall be construed to be inconsistent with the nondiscrimination provisions under another provision of state or federal law.
- (c) Nothing in this act shall be construed to mean that an employer shall be forced to hire unqualified or incompetent personnel, or discharge qualified or competent personnel.
- (d) Nothing in this act shall be construed to prohibit compulsory retirement of any employee who has attained 65 years of age and who, for the two-year period immediately before retirement, is employed in a bona fide executive or a high policymaking position, if such employee is entitled to an immediate nonforfeitable annual retirement benefit from a pension, profit-sharing, savings or deferred compensation plan, or any combination of such plans, of the employer of such employee, which equals, in the aggregate, at least \$44,000.
- (e) Nothing in this act shall be construed to prohibit, before January 1, 1994, compulsory retirement of any employee who has attained 70 years of age and who is serving under a contract of unlimited tenure (or similar arrangement providing for unlimited tenure) at an institution of higher education.

History: L. 1983, ch. 164, § 8; L. 1988, ch. 174, § 3; L. 2008, ch. 105, § 5; July 1.