

# EMPLOYEE HANDBOOK



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Commonwealth of Kentucky

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Personnel Cabinet

## COMMONWEALTH OF KENTUCKY

### PERSONNEL CABINET

#### DEPARTMENT OF HUMAN RESOURCES ADMINISTRATION DIVISION OF EMPLOYEE MANAGEMENT

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This handbook is not a contract nor do the statements contained in it have the force of law. Personnel laws and regulations may modify or supersede any or all statements in this handbook. For more information, employees should see their Human Resource Administrator and refer to the current edition of the [Kentucky Revised Statutes, Chapter 18A](#), and [Title 101 of the Kentucky Administrative Regulations](#).

The Commonwealth of Kentucky does not discriminate on the basis of race, color, national origin, sex, age, religion, sexual orientation, gender identity, veteran status and disability in accordance with state and federal laws. This handbook is available in an accessible format upon request.

**-TABLE OF CONTENTS-**

<u>Subject</u>	<u>Page Number</u>
• <a href="#">Using Your Employee Handbook</a> .....	3
• <a href="#">Adoption Benefit Program</a> .....	4
• <a href="#">Appeals to the Personnel Board</a> .....	4
• <a href="#">Bereavement Package</a> .....	5
• <a href="#">Classification Plan</a> .....	5
• <a href="#">Compensation (Pay) Plan</a> .....	6
• <a href="#">Cooperative Education and Internship Program</a> .....	7
• <a href="#">Credit Unions</a> .....	7
• <a href="#">Deferred Compensation</a> .....	9
• <a href="#">Drug-Free Workplace</a> .....	11
• <a href="#">Employee Benefits</a> .....	12
• <a href="#">Employee Performance Evaluation</a> .....	12
• <a href="#">Employee Records and Files</a> .....	13
• <a href="#">Employee Suggestion System</a> .....	14
• <a href="#">Ethics Code for the Executive Branch</a> .....	14
• <a href="#">Equal Employment Opportunity (EEO)</a> .....	15
• <a href="#">General Information about Your Employment</a> .....	19
• <a href="#">Glossary of Terms Relating to Employment</a> .....	20
• <a href="#">HIV and AIDS In The Workplace</a> .....	26
• <a href="#">How the Pay System Works</a> .....	27
• <a href="#">Human Resource Development Services</a> .....	28
• <a href="#">Information Technology Resources, Use of</a> .....	31
• <a href="#">Internal Mobility Program</a> .....	33
• <a href="#">Kentucky Employee Assistance Program (KEAP)</a> .....	33
• <a href="#">Mediation</a> .....	34
• <a href="#">Merit System</a> .....	34
• <a href="#">Political Activities</a> .....	35
• <a href="#">Retirement</a> .....	37
• <a href="#">Reversion, Reemployment, and Reinstatement</a> .....	39
• <a href="#">Ridesharing (Office of Transportation Delivery)</a> .....	40
• <a href="#">Safety - Kentucky Safety Program</a> .....	40
• <a href="#">State Materials and Equipment, Use of</a> .....	40
• <a href="#">Subject Index (not included)</a>	
• <a href="#">Telephone Usage</a> .....	41
• <a href="#">Travel Regulations</a> .....	41
• <a href="#">Violence In The Workplace</a> .....	42
• <a href="#">Work Schedules</a> .....	42
• <a href="#">Your Employment Standing</a> .....	43

**LEAVE**

- Annual Leave ..... 43
- Blood Donation Leave ..... 45
- Compensatory Leave Time and Overtime Pay ..... 46
- Court Leave ..... 46
- Special Leave of Absence - Educational Leave ..... 47
- Family & Medical Leave (FMLA) ..... 47
- Holidays ..... 49
- Military Leave ..... 50
- Military Leave, Spousal ..... 50
- Sick Leave ..... 50
- Voting Leave ..... 54
- Weather, Inclement Policy ..... 54

**INSURANCE**

- Consolidated Omnibus Reconciliation Act of 1985 (COBRA) ..... 55
- Flexible Spending Accounts (FSA) ..... 55
- Group Life Insurance ..... 55
- Health Insurance ..... 58
- Health Reimbursement Account (HRA) ..... 58
- Social Security and You ..... 59
- Unemployment Insurance ..... 61
- Workers' Compensation Insurance ..... 61

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**Using Your Employee Handbook**

As a state employee, you are subject to certain laws and regulations as well as your agency's policies. You are also entitled to certain benefits. When you have questions about your responsibilities or benefits, consult the table of contents of this book. If you do not find all of the information you need here, contact your agency's human resource administrator. You should regularly check the Personnel Cabinet's web site at <http://personnel.ky.gov/> for news and announcements that directly affect your employment. You should also check the bulletin boards in your agency for information that will keep you up to date.

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## **Adoption Benefit Program**

In 1998, a mechanism whereby state employees could be reimbursed for a portion of the direct costs incurred in the adoption process was created.

The Kentucky State Personnel Cabinet administers the Adoption Benefit Program, which provides financial assistance to state employees in the Executive Branch.

Under 101 KAR 2:120: <http://lrc.ky.gov/KAR/101/002/120.htm> the Adoption Benefit Program provides up to \$5,000.00 per family for direct costs related to the adoption of a special needs child, and up to \$3,000.00 for any other child adoption. The money is provided by existing funds from the agency where the adoptive parent is employed, not to exceed \$150,000.00 total in one year.

The Adoption Reimbursement Application shall be submitted to the Personnel Cabinet along with the following:

- Finalization of the adoption;
- Certification by the Secretary of the Cabinet for Health and Family Services that the adopted child is a special needs child, if reimbursement for special needs adoption is sought, and;
- A copy of an affidavit of expenses related to the adoption files and approved by the court at the time of finalization of the adoption.
- If both of the adoptive parents are Executive Branch state employees, the applications for financial assistance shall be submitted jointly.

Kentucky State Government employees who wish to adopt a child have access to equivalent benefits that are offered to birth parents. Adoptive parents are eligible for FMLA: 101 KAR 2:102, <http://lrc.ky.gov/KAR/101/002/102.htm>

As of August 2001, a state employee who wishes to be reimbursed for adoption expenses must also submit a completed Adoption Reimbursement Application and a Adoption Reimbursement Notification Letter to his/her appointing authority.

The Family Medical Leave Act entitles you to:

- Twelve (12) weeks of unpaid job protected leave.
- Having the state's share of your health and life insurance paid.

To obtain the Adoption Benefit Program Application, contact your Human Resource Administrator. Or contact Darlene Stewart, Office for Employee Relations/Division of Employee Benefits-State Office Building, 3rd Floor, 501 High Street, Frankfort, Kentucky 40601, (502) 564-3433.

## **Appeals to the Personnel Board**

Employees who have been dismissed, suspended, demoted, or otherwise penalized by formal action must be provided with written notice of such actions and their appeal rights. KRS 18A.095 explains the procedures for filing and hearing appeals. Additional information is contained in 101 KAR 1:365. Your human resource administrator and the

Personnel Cabinet's Web page (<http://personnel.ky.gov/>) can also provide information.

You may obtain an employee appeal form by contacting your agency's human resource administrator or from the Personnel Board at <http://personnelboard.ky.gov/>. You can also download it from the Personnel Cabinet's forms library found on their website at <http://personnel.ky.gov/formlby.htm>

Time limitations for filing an appeal with the Personnel Board often vary from 30 days to one year, depending upon the nature of the alleged penalization. An employee should refer to KRS 18A.095 and other resources to determine the time in which a specific appeal must be filed.

### **Bereavement Package**

The death of an employee is always a sad occasion, and it can be uncomfortable to deal with administrative details at such a time. However, it is essential to the welfare of the deceased employee's family to see to it that such details are attended to efficiently. The Commonwealth has prepared a packet of information in an effort to assist you during this difficult time (<http://personnel.ky.gov/stemp/bereavepkg.htm>). To obtain a bereavement package, contact your agency human resource administrator.

### **Classification Plan**

The Personnel Cabinet is required to prepare, maintain and revise the classification plan for the Executive Branch of state government. The classification plan is a tool for sorting and comparing jobs so that jobs with similar levels of responsibilities and assigned duties will have the same title; the same minimum requirements of education, training, and skills for applicants; and the same pay grade. The plan currently has more than 1360 classes. Each class has its own written specification that includes title; characteristic functions and responsibilities; examples of the kinds of duties generally performed by positions (jobs) in that class (not all job duties would be listed as examples); and minimum requirements listed as combinations of education, experience, licensure, certification or legal requirements a person must have to be considered for jobs in that class. All class specifications may be found at the Personnel Cabinet's website.

Your official title, as listed in your personnel file, is based on the responsibilities and duties assigned to your position (job) by your employer as compared to class specifications in the classification plan. Your employer informs the Personnel Cabinet of the responsibilities and duties of your job by completing and submitting a position description (PD) form. Classification and Compensation Branch's staff compares the contents of the PD to the various class specifications and makes a final determination of the most appropriate classification for your job. The class specification for your official title should describe the responsibilities and duties assigned by your employer more closely than other class specifications.

A "desk audit" is a personal interview with an employee and their supervisor or manager to get more detailed information about the responsibilities assigned to a job. The Personnel Cabinet may conduct a "desk audit" before making a final classification decision, or on some occasions, the appointing authority or Personnel Board may ask

the Personnel Cabinet to conduct a "desk audit." Employees wishing for a desk audit must first go through their appointing authority who may request a "desk audit."

Appointing authorities may request the Personnel Cabinet to review the classification of their employees from time to time and make recommendations regarding such classifications. Should an employee be assigned permanent and material changes in his or her job class, a different classification may be appropriate. The appointing authority may request a RECLASSIFICATION. Employees reclassified to a higher pay grade will receive an increase in salary. Employees reclassified to a lower pay grade may keep the same salary they were earning prior to the reclassification. Employees reclassified to the same pay grade will keep the same salary.

A RECLASSIFICATION is different from a REALLOCATION in that an employee may be reallocated if (1) it is determined that the employee's job was not properly classified previously, or (2) if a new job specification is adopted by the Personnel Cabinet which better describes the job performed. Your new job classification after a reallocation may be to the same pay grade or to a higher or lower grade. Employees who are reallocated to a classification to which they do not agree may file a formal request to the (Secretary of the Personnel Cabinet) for a reconsideration of the action taken. Your agency will provide you with a copy of the reconsideration form if your position is reallocated.

You may have a working title in addition to your official job title. For example, you may be classified as an Office Support Assistant I but have a working title of "messenger." Working titles do not affect your official title and pay. Those titles may be used for purposes other than official payroll and personnel matters.

If you believe your classification does not accurately reflect your job, you may request your supervisor or agency personnel administrator to review your classification. The human resource administrator should work with agency management and the Personnel Cabinet to review your classification.

The Personnel Cabinet maintains the official copies of all class specifications. You may access class specifications at the Personnel Cabinet's website under "HR Administration/Personnel Information and then clicking on Class Specifications."

### **Compensation (Pay) Plan**

The Personnel Cabinet in consultation with the appointing authorities and the Office of the State Budget Director, prepares, maintains and revises the compensation (pay) plan. Three basic elements are involved in the compensation plan:

1. The relationship of the levels of responsibilities and duties of the various classifications;
2. What other employers pay for similar work; and
3. The financial resources (tax dollars) available to pay for the work performed.

Merit System employees are assigned to job classes according to their duties and responsibilities. Each job class in the classified service is assigned to one of the pay grades in the classified service salary schedule (Grades 3-20). Most job classes in the unclassified service are assigned to one of the pay grades in the unclassified service

salary schedule (Grades 3-22). Pay grades are assigned based on similarity of the level of duties and responsibilities compared to other state job classes. Salary surveys of other employers determine the pay for similar levels of work. Each pay grade has an entry-level wage (the lowest salary that state government pays for work in jobs assigned to that pay grade) and a midpoint wage (the "going wage", or the salary most employers would pay an experienced employee performing that particular type of work).

The salary schedule may be adjusted when salary surveys indicate that job market salaries have changed AND state revenues allow budget appropriations for the purpose.

Your salary depends on a number of factors: (1) your job classification, (2) your seniority, and (3) your career path.

Your starting salary is normally at the minimum of the pay range assigned to your classification. In some cases an agency may request to start an employee above the range minimum based on an applicant's unique background or difficulty in recruiting for the class.

At the successful completion of initial probation period (see glossary), an employee will receive a probationary increase of five percent (5%). This sets the employee's increment date for as long as an employee is continuously employed not including extensive leave without pay.

As you gain status (upon completion of probation) and seniority, you will be eligible for salary increases (raises) to the degree that the state's budget and regulations allow.

The compensation (pay) plan is closely related to the classification system, but it is distinctly different.

### **Cooperative Education and Internship Program**

The co-op/intern educational placement program serves as a recruiting tool for agencies that cannot find potential employees with appropriate skills. The program helps agencies meet their short-term staffing needs in critical skill areas. It also serves as a mechanism for Kentucky students to obtain practical on-the-job experience and academic credit as part of their education.

For additional information visit the Personnel Cabinet's Web site at <http://personnel.ky.gov/employment/coop/> or call (502) 564-6920

### **Credit Unions**

As a state employee, you may want to join the COMMONWEALTH CREDIT UNION or the KENTUCKY EMPLOYEES CREDIT UNION. Each offers a wide range of financial services, including secured and unsecured loans, savings plans, and payroll deductions.

COMMONWEALTH CREDIT UNION

Did you know that participants of any Kentucky Retirement System are eligible for membership with Commonwealth Credit Union (CCU)? CCU has a full line of expense

free financial services that are convenient and available for all its members and their families across the state. We are currently the largest credit union in Kentucky with over 87,000 members.

You may be wondering what the advantages are of joining a credit union versus a bank. According to a study conducted by the Consumer Federation of America, "...the fee difference between credit unions and banks is striking and helps explain why consumers repeatedly rate credit unions more highly than banks...". The study further demonstrates that fewer credit unions than banks charge fees, and when credit unions do charge fees, they are generally less than banks. Credit Unions are non-profit consumer cooperatives run for the benefit of members.

Now you know why everyone should become a member of a credit union, but here is just a few of the reasons why you should become a member of Commonwealth Credit Union:

Savings Accounts	Choose from our Ready Access Savings, High Yield Savings, Certificates, IRAs, Youth Accounts, Christmas and Vacation Clubs; you can do payroll deductions to these accounts!
Direct Deposit & Payroll Deduction	Direct Deposit offers a great way to have your entire paycheck automatically deposited to your CCU checking account on your payday. Payroll Deduction allows you to have any amount deducted from your paycheck and deposited into one or more CCU savings account(s).
Free Checking	No minimum balance, no monthly service charges, unlimited check writing privileges, and every balance earns dividends.
Global Check Cash Card	Allows you to make purchases at any location that accepts VISA and the funds will come directly from your checking account! It also serves as an ATM card at our numerous ATMs and nationwide ATMs.
"Tellie", The Touch Tone Teller	Free 24 hour account information from any Touch Tone telephone. Receive account balances, cleared dates on checks, account withdrawals, and transfer money between accounts.
Bill Payment	Allows the convenience of paying your bills via a PC or phone...anytime and anywhere. Now you can pay your bills without writing a check, paying for postage or stuffing envelopes.
Home Banking	Home Banking allows you to access your accounts via a PC from home, work, or any other location -- anywhere in the world, 24 hours a day.
Loan Service	Low competitive rates on all our loans; Vehicle, Personal, Consumer, VISA/MasterCard Credit Card, Mortgage, and much more! You can apply 24 hours every day and receive a rapid response...

As you can see, membership in CCU has many benefits for you as well as everyone in your family! For more information on becoming a member of Commonwealth Credit Union or about additional services offered, contact your payroll office, or call us toll free

at 1-800-228-6420. Call today for a lifetime of saving for you and your family...and remember "Once a member, always a member!" Commonwealth Credit Union is located in Frankfort at 417 High Street, 101 Sower Boulevard, 1425 Louisville Road; in Lexington at 280 Meijer Way, and in Lawrenceburg at 1015 Crossroads Drive. Our mailing address is PO Box 978, Frankfort, KY 40602-0978.

## KENTUCKY EMPLOYEES CREDIT UNION

Attention State Employees, take advantage of membership in KECU.

As a state employee you, and your family members, are eligible for an exciting benefit - membership in Kentucky Employees Credit Union.

KECU is a not-for-profit financial cooperative, owned and operated by members. It's our goal to serve you with top-quality financial products and services at the lowest costs possible. Our friendly staff is always ready to assist you and we offer a variety of convenient and easy to use services.

For example, our Share Draft Checking Account has no monthly service charge, no minimum balance, and no per check fees. Plus, you can access the funds in your account with your KECU ATM card or your KECU VISA Check (Debit) Card. You can inquire about your balance, find out what checks have cleared, make a transfer and more, 24 hours a day, 7 days a week from the convenience of MoneyLine, our audio teller.

From low-rate auto loans to competitive rates on certificates -- KECU is the place for all your financial needs!

- Checking Accounts
- VISA Check Card
- ATM Service
- Low-Rate Auto and Signature Loans
- Certificates
- Mortgage Loans
- Home Equity Loans
- MoneyLine Audio Teller
- Friendly Service and much more!

Join Today! A long tradition of excellence...The first credit union to serve state employees! KECU, 100 Moore Drive, Frankfort, Kentucky 40601-8295, (502) 564-5597, (800) 219-5328, FAX (502) 564-9739. E-Mail: [[peoplehelpingpeople@kecu.org](mailto:peoplehelpingpeople@kecu.org)] Home Page: [<http://www.kecu.org>]

### **Deferred Compensation**

Kentucky State Government employees (who receive a regular paycheck) may participate in one or both of the Supplemental Retirement Savings Plans available through the Kentucky Public Employees' Deferred Compensation Authority (Authority) program (IRC Section 457 and 401 (k)). In addition a Roth 401(k) option, Deemed Traditional IRA's and Deemed Roth IRA's are available for after-tax investment

diversification. Participation in this valuable benefit is optional for the employee. The Authority administers both Plans. The Authority, attached to the Personnel Cabinet for administrative purposes only, is part of Kentucky State Government.

Both the 457 and 401(k) deferred compensation plans let you defer "pre-tax" income from your regular compensation and set it aside for retirement. Money set aside for deferred compensation is automatically payroll deducted twice each month. State employees have the option of selecting a set dollar amount to be deducted per pay period, or specifying a percentage of salary to be deferred each pay period through the "Automatic Contribution Escalator" (ACE). There is a \$30.00 per month deferral requirement. You pay no state or federal income tax on the money you defer, or the earnings of your account balance, until you begin receiving benefits payments after retirement (including early retirement) when you may be in a lower tax bracket. Under the certain retirement incomes, including distributions from both deferred compensation plans, are now 100% excluded from Kentucky state taxes, up to an annual dollar maximum (indexed) of \$41,110 per person.

The plan is not meant for short-term savings, and monies deferred are generally not available except for financial hardship, termination of employment (voluntary and involuntary), retirement, or disability retirement from Kentucky State Government. Hardship is defined by IRS regulations and claims must be approved by the Authority in accordance with those definitions. Hardships do not include withdrawals for buying an automobile, consumer goods, or repayment of loans or credit card charges. A loan program is available to those participating in either the 457 or the 401(k) Plan, who want to borrow from their account. In addition, a state employee, with at least fifteen (15) years of state service, can "roll over" part or all of their 457 and/or 401(k) account to the Kentucky Retirement Systems to purchase up to five (5) years of "non-qualified" service credit, or any other service acceptable to the Kentucky Retirement System.

In addition to the 457 and 401(k) plan, The Authority offers a Roth 401(k) option and Deemed and Traditional IRA's. These three (3) options provide after-tax investment opportunities, which offer an additional level of tax-diversification.

#### Investing for Retirement

You choose which fund or funds to invest in. The Authority currently offers over 30 investment options to participants in both plans, including managed lifecycle funds. The Spectrum of Investment Options (Spectrum) contains investment choices (primarily no-load mutual funds) that range from conservative (fixed contract, money market, government and corporate bond funds) to moderate (balanced, equity income, large cap growth funds) to the more aggressive (mid cap, small cap, and foreign funds). Included in the mix are a Total Bond Market index fund, an S&P 500 index fund, a Mid-Cap stock index fund and a Small-Cap stock index fund. To help ensure appropriate performance results are maintained the Board of Trustees has adopted "Selection and Evaluation Criteria Standards." These have been specifically designed for the ongoing analysis and determination of the funds to be offered in the Spectrum. Please note that mutual funds have no guarantee of return or principal. In addition, there is some uncertainty with every investment.

You have the flexibility to make exchanges of your fund balances between funds within the Spectrum on a daily basis. Deferral amounts, percentages, and fund investment options may be changed from one pay period to the next available pay period.

There is an on-going annualized record keeping and administrative fee, which is deducted periodically from your account and reflected on each quarterly transaction-based statement. The Authority has an on-going process to review the costs to administer the system with the objective to reduce participant fees whenever feasible. This process has successfully reduced fees in seven (7) of the past eleven (11) years. The total recurring annual savings to participants now exceeds \$3 million.

### Planning for Retirement

Long range planning and systematic saving for eventual retirement is one of the most important undertakings for employees during their state government career. With today's trends of employees retiring at younger ages and living longer in retirement (you may live as long or longer in retirement as you worked!), employees can rarely afford to rely solely on traditional defined benefit pension plans and Social Security as their only sources of retirement income for their "golden years." Chart A (below) shows the advantages of investing through deferred compensation. Chart B (below) shows the advantages of deferring early.

Through "your" deferred compensation provided to you as an "optional" benefit by the Commonwealth, you may, depending upon your income, save up to 100% of your gross salary up to the annual maximum of \$15,500 in 2007 in the IRC Section 457 Plan, and up to \$15,500 in 2007 in the IRC Section 401(k) Plan. Depending upon your age, or other factors, you may be eligible to defer even more. Maximum deferrals are indexed annually in \$500 increments after 2007. For the IRS options, an after-tax aggregate contribution of \$4,000 earned income is allowed in 2007 (\$5,000 in 2008 and indexed in \$500 increments thereafter).

Staff of the Authority and its statewide field service team is always available during regular working hours to assist you in planning, preparing, and saving for your eventual retirement. Authority Payout Counselors are happy to work with you as you select the payout most appropriate for your individual needs. A comprehensive web site ([www.kentuckydcp.com](http://www.kentuckydcp.com)) and a voice response unit (800.793.4401) are available 24 hours per day, 7 days a week and provide account information as well as a method for making account changes.

For information on participating in your deferred compensation program, please contact Authority staff at 502.573.7925 or toll free at 800.542.2667.

### **Drug-Free Workplace**

In 1988, the United States Congress enacted the Anti-Drug Abuse Act (P.L. 100-690), which requires recipients of federal funds to certify that they have met requirements designed to promote a drug-free workplace. In compliance with this Act, and at the direction of the Governor, all State employees are notified that:

The unlawful manufacture, distribution, dispensation, possession or use of any

controlled substance is strictly prohibited in the workplace and any employee found to be in violation will be subject to disciplinary action by the Appointing Authority for misconduct which may include sanctions up to and including dismissal from state service, in accordance with the State law.

- The Personnel Cabinet will continue to improve drug-free awareness programs through Employee Assistance and in cooperation with State agencies to eradicate the dangers that drugs in the workplace create for our employees. State-supported health insurance provides coverage for employees referred to or seeking treatment for drug and alcohol related problems.
- Employees are notified that compliance with drug-free workplace requirement is a condition of continued employment with State Government. Each employee is obligated to report any conviction he or she receives as a result of a violation of any criminal drug statute violation occurring in the workplace within five (5) days of such conviction. Failure to report a conviction may result in disciplinary action. Such a report is to be made to the employee's Appointing Authority and is required by federal law and the agency is obligated to report such conviction to the federal grantor within ten (10) days after it receives notice.
- Employees found to be in violation of drug-free workplace requirements may face disciplinary action up to and including dismissal or may be required to satisfactorily participate in a drug abuse assistance or treatment program.

Employees who have questions concerning this directive are encouraged to contact their supervisor or the Kentucky Employee Assistance Program at (502) 564-5788. For more information please check our website at <http://personnel.ky.gov/emprel/keap/>.

### **Employee Benefits**

Your net salary (the money left in your paycheck after deductions) does not tell the whole story of your work compensation. Beyond your paycheck lies a hidden paycheck that adds more than 30% to the real value of your salary. These dollars come to you as fringe benefits of your state employment in the form of state-assumed costs for insurance protection, retirement and social security benefits, saving plans, educational opportunities, and various types of leave time. Sections in this handbook explain what your state benefits are, what conditions apply to them and how they mean extra dollars to you.

If you need additional information concerning state benefits, talk with your agency's human resource administrator.

### **Employee Performance Evaluation**

The job performance of state employees is important to the Commonwealth. Supervisors are required to evaluate the performance of all eligible merit system employees once a year. In order to assure all Kentucky citizens that the quality of services provided by their state government measures up, state law requires that evaluation shall be considered in determining eligibility for discretionary salary advancements, promotions and disciplinary actions. (See [KRS 18A.110](#)) and ([101 KAR 2:180](#))

Work performance evaluation benefits you in several ways. First, it improves

communication between you and your supervisor. Supervisors must meet with eligible employees prior to the start of each evaluation period to discuss performance requirements. Performance requirements include a written performance plan consisting of job duties, performance expectations, and assigned points in each performance category. At the start of the performance year the employee, first line supervisor and next line supervisor sign the plan. The completed performance plan provides you the information needed to understand what your job requires. It provides, too, the mechanism for reviewing your progress as an employee. If your performance is satisfactory, you are told what you are doing right and how you might do even better. If your performance is not up to standard, you receive the constructive counseling or training that will enable you to improve.

For details on who is eligible for evaluation, how performance evaluation affects you, and how it is carried out, see the Employee Evaluation Handbook, available to you through your supervisor or your agency's human resources administrator. Also you may visit the Personnel Cabinet's Web site to read KRS 18A.110 and 101 KAR 2:180 or look at the Personnel Cabinet's Website to find out more about the Employee Performance Evaluation System <http://personnel.ky.gov/gsc/empeval/>.

### **Employee Records and Files**

There are two principle sources of information pertaining to your employment in state government. Your official personnel file, which is maintained by the Personnel Cabinet, and your agency personnel file, maintained by your agency. Both of these files may be inspected and copied upon a written request made under KRS 18A.020. (Per KRS 16.874(3) a reasonable fee will apply for files previously duplicated within a twelve month period.) Please remember that state resources such as mail, e-mail, and fax should not be used to request records.

Kentucky's Open Records Law (KRS 61.870 to 61.884) requires that all records of public agencies are public records open to public inspection, except as limited by KRS 61.878. In order to inspect an agency record, you must comply with appropriate request procedures established by the agency and authorized under KRS 61.876. A written response to your Open Records Act request is due within three working days of the day it is received.

If you request to see a public record under the Open Records Act and you are denied access to it, the agency withholding the record must give you specific reasons in writing why it is denying the information to you. If you believe the requested information is being withheld unlawfully, you may request the Attorney General to review the denial. The Attorney General will issue a written opinion to the denying agency stating whether or not the denial was consistent with the law. An employee may also appeal denial of access to his own employment-related records by appeal to the Personnel Board or by filing a lawsuit. All requests must identify the specific records being sought within the file. General requests for "any and all records" or "The Personnel File" may not be honored.

As a courtesy and in order to protect personal and private information from disclosure, the Personnel Cabinet makes reasonable efforts to notify an employee when it receives an Open Records request from a third party to inspect and copy records in the employee's file.

For more information on "Records or Personnel Cabinet Subject to open Records Law/Employees' Access to Personnel Files" please refer to KRS 18A.020.

### **Employee Suggestion System**

Under KRS 18A.110 and 101 KAR 2:120, all employees with status in the classified service (merit employees) may be recognized and rewarded for submitting suggestions that result in the improvement of state service or in the realization of financial saving by the state. Employees in the unclassified service (non-merit) are not eligible.

Cash awards are given when a suggestion has been implemented and approved by the Council and results in cost reductions, cost avoidance, or for ideas that would improve the operations of a process or program, improve public relations, safety or effectiveness of operations. Awards range from \$100 minimum to ten percent (10%) of the first year's documented or estimated savings, up to a maximum of \$2,500.00. A \$100.00 award may be given for ideas that have intangible savings.

To obtain the official suggestion form (P-35), you may contact your Employee Suggestion System (ESS) cabinet coordinator. Information about the Employee Suggestion System and an official suggestion form are now available through Personnel's Home Page on the Internet (<http://personnel.ky.gov>). Once you have reached Personnel's Home Page, click on Kentucky Employee Suggestion System.

Once the form (P-35) is completed, you will return it to your cabinet/agency coordinator. A complete list of all ESS Coordinators is available on the ESS Web site. He/she will be responsible for recording the suggestion, having the appropriate person with expertise in that area evaluate the suggestion, and track the suggestion until its completion. Your coordinator will notify you of the final outcome. If the suggestion is denied by a cabinet or an agency, you may request reconsideration, and from there you may request a review by the Council.

### **Ethics Code for the Executive Branch**

Executive Branch employees are responsible for complying with the Executive Branch Code of Ethics under Kentucky Revised Statutes (KRS) Chapter 11A. The Executive Branch Code of Ethics contains provisions to ensure ethical conduct and prevent conflicts of interest in the Executive Branch of state government.

- To maintain public confidence in a democratic government, certain restrictions are placed upon your conduct. As an Executive Branch employee, you are prohibited from the following: Using your influence in a matter that involves a conflict between personal and public interest;
- Using your official position to obtain financial gain or secure privileges for yourself, family members or others;
- Engaging in any conduct when appearing before a state agency that would lead the public to believe you are furthering your private interest;
- Receiving any interest or profit from the use or loan of state funds;
- Disclosing or using confidential information acquired in the course of your official duties for your personal benefit;

- Acting as a representative for the state in the transactions of business for yourself or a family member;
- Contracting or doing business with the state agency by which you are employed through any business of which your own at least a 5% interest;
- Accepting compensation, other than your state salary, for performance of your official duty; and
- Using state time, equipment, personnel, or materials for personal benefit.

The Executive Branch Code of Ethics also places restrictions on future employment if you leave state government. You are prohibited from acting as a lobbyist within one year of termination of your employment, with respect to any other matter that directly involved your job during the last 36 months of your state employment. You are also prohibited for one year from representing a person in a matter before a state agency in which you were directly involved as a state employee during the last 36 months of your state employment.

If you are an officer as defined in KRS 11A or an elected official, you are prohibited for six months following termination of employment from accepting employment or compensation from any person or business who contracts or does business with the state, in a matter in which you were directly involved the last 36 months of your state tenure. You are allowed to return to the same business of profession in which you were involved prior to state employment. However, for six (6) months, you must not work on any matter in which you were directly involved during the last 36 months of your state employment.

Certain Executive Branch employees are required annually to publicly disclose financial information. If you are required to disclose this information, you will be sent notification of this requirement.

The Executive Branch Code of Ethics details procedures for reporting a complaint of an alleged violation of KRS 11A. An investigation is initiated by the Executive Branch Ethics Commission to determine if a violation of the law has occurred. Penalties for violations of the Executive Branch Code of Ethics include loss of state employment, withholding of salary, civil penalties of not more than \$5000, or the criminal penalties for a Class D felony charge depending on the law violated.

For more details of the ethics laws that govern the Executive Branch employees, see KRS Chapter 11A. If you have questions, you may consult your supervisor or request an advisory opinion from the Executive Branch Ethics Commission.

### **Equal Employment Opportunity (EEO)**

The Office of Diversity and Equality reports to the Secretary of Personnel who is responsible to the Governor and the people for directing, implementing, and enforcing the State's Affirmative Action Program. Employees are encouraged to express their concerns regarding existing or potential barriers or prohibitions to equal employment opportunity due to race, color, national origin, sex, age, religion, sexual orientation, gender identity, veteran status and disability in accordance with state and federal laws. EEO assistance is available by contacting your agency EEO Counselor/Coordinator or the State EEO Coordinator at (502) 573-8000

## Affirmative Action Plan for State Government

1. To ensure equal employment opportunity for all Kentuckians regardless of race, color, national origin, sex, age, religion, sexual orientation, gender identity, veteran status and disability in accordance with state and federal laws, the affirmative action plan dated July 1, 1984, confirmed as part of Executive Order 84-549 continued in force by Executive Order 92-1059, and Executive Order 2003-533 and expanded by the Governor in Executive Order 2006-402, the official affirmative action plan for Kentucky State Government. Copies of the plan, as well as the plans developed by individual agencies pursuant to the state plan, is maintained on file and made available for inspection in the office of the Secretary of Personnel.
2. Every program cabinet, department, and agency of state government must comply with the provisions of the affirmative action plan.
3. Equal employment opportunity is an integral part of each cabinet, department, and agency program, and any program evaluation includes an assessment of equal opportunity performance.
4. The State EEO Coordinator is responsible for the implementation of the plan and reports to the Secretary of Personnel. In fulfilling these responsibilities, the State EEO Coordinator:
  - a. Requires all cabinets, departments, and agencies of state government to develop programs consistent with the plan;
  - b. Provides any technical assistance considered appropriate to accomplish the purposes of the plan;
  - c. Provides, through the Personnel Cabinet, an annual analysis to ensure that persons protected by anti-discrimination laws are not adversely affected by examination and selection procedures;
  - d. Provides for validation of examination procedures;
  - e. Provides for procedures to monitor appointments and salary adjustments to ensure that standards are uniformly applied to prevent salary disparity;
  - f. Reports to the Governor through the Secretary of Personnel semiannually on actions taken under the plan;
  - g. Reviews the plan on an annual basis and recommends necessary changes in consultation with the appropriate agencies.
5. The Secretary of Personnel may also:
  - a. Implement programs to ensure that reasonable accommodations exist for persons with disabilities to allow them better access to all employment opportunities in state government; and
  - b. Appoint an affirmative action advisory committee to assist in implementation of the affirmative action plan. ([See KRS 18A.138](#)) (PDF - 6.31 KB)

## Sexual Harassment Policy

State law prohibits unwelcome sexual advances, requests for sexual acts or favors, with or without accompanying promises, threats, or reciprocal favors or actions; or other verbal or physical conduct of a sexual nature that has the purpose of or creates a hostile

or offensive working environment. Examples of prohibited conduct include, but are not limited to, lewd or sexually suggestive comments, off-color language or jokes of a sexual nature; slurs and other verbal, graphic or physical conduct relating to an individual's sex; or any display of sexually explicit pictures, greeting cards, articles, books, magazines, photos or cartoons.

Complaints of sexual harassment will be promptly and carefully investigated, and all employees may be assured that they will be free from any and all reprisal or retaliation from filing such complaints. Any employee who has a complaint of sexual harassment at work by anyone, including supervisors, co-workers, visitors, clients, or customers, should immediately bring the problem to the attention of agency officials or the Personnel Cabinet. Employees may bring the complaint to the attention of their supervisor, or if the complaint involves supervisory personnel in the employee's line of command, to another supervisor, the personnel manager or the State EEO Coordinator at (502) 573-0321.

#### ADA - Americans with Disabilities Act

Kentucky state government is committed to the full implementation of the Americans with Disabilities Act (ADA). It is the policy of the Commonwealth to maximize the full inclusion and integration of people with disabilities in all aspects of employment and all programs, services and activities.

All employees must comply with the following policies regarding the ADA:

- **Discrimination Prohibited:** Employees with disabilities who are otherwise qualified may not be discriminated against in any areas of employment including, but not limited to, job application and compensation procedures, fringe benefits available by virtue of employment and activities sponsored by the state.
- **Limiting, Segregating, and Classifying:** Employees with disabilities shall not be limited, segregated, or classified in a way that adversely affects their employment opportunities or status.
- **Contractual or Other Arrangements:** The Commonwealth will not participate in contractual or other arrangements or relationships that would subject qualified employees with disabilities to the discrimination prohibited by the ADA.
- **Reasonable Accommodations:** The Commonwealth will make reasonable accommodation to the known physical or mental limitations of an otherwise qualified employee with a disability, unless it can be shown that the accommodation would impose an undue burden. After a qualified employee requests reasonable accommodation, all agencies will make every reasonable effort to find out what is needed and provide the appropriate accommodations. This is to be an interactive process with the agency consulting with the employee with a disability.
- **Administration of Tests:** The Personnel Cabinet will select and administer tests concerning employment in the most effective manner to ensure that, when a test is administered to a job applicant or employee who has a disability that impairs sensory, manual or speaking skills, the test results accurately reflect the skills, aptitude, or whatever other factor of the applicant or employee that the test purports to measure, rather than reflecting the impaired sensory, manual, or speaking skills of such employee or applicant (except where such skills are the factors that the test purports to measure).

- Retaliation and Coercion: The Commonwealth will not coerce, intimidate, threaten, harass, or interfere with any individual exercising or enjoying his or her rights under the ADA or because that individual aided or encouraged any other individual in the exercise of rights granted or protected by the ADA. Employees may file a complaint as set forth in Employee Grievances and Complaints. Please direct any questions or concerns to your agency ADA Coordinator.

## Employee Grievances and Complaints

Occasionally employees are faced with situations that cannot be resolved through informal complaint processes. In such cases the employee may wish to file a formal grievance with his or her agency. The following administrative regulation ([101 KAR 1:375](#)) provides for those cases when an appeal to the Personnel Board might be unnecessary or premature. The employee grievance procedure allows many serious matters to be resolved in-house through a formal structure designed to save employees and their agencies both time and unnecessary effort.

A grievance is a complaint filed by an employee which concerns some aspect of his or her conditions of employment over which the cabinet or agency has control and which has occurred or of which the employee has become aware, through the exercise of due diligence, within thirty (30) days prior to filing.

Employees in the classified service who believe that they have been subjected to unfair or unjust treatment concerning their conditions of employment may file a grievance.

Any grievance concerning an action which is appealable directly to the Personnel Board under [KRS 18A.095](#) (PDF - 14.6 KB) may also be filed with the cabinet or agency. The filing of a grievance with the cabinet or agency does not prohibit the employee from also filing an appeal with the Personnel Board, or extend the statutory appeal period.

An employee utilizing this procedure is entitled to file a grievance without interference, coercion, discrimination, or reprisal.

An appointing authority must inform its employees of the provisions of this administrative regulation, or any modifications in the levels of review that have been approved by the Personnel Board for the employee's cabinet or agency under this administrative regulation.

The Secretary provides to the employees, through the appointing authorities, a Grievance Form to be used for filing a grievance. Grievance forms may also be inspected, copied or obtained at the Personnel Board, 28 Fountain Place, Frankfort, Kentucky 40601, 8:00 a.m. to 4:30 p.m., Monday through Friday.

### Procedures:

A grievance is to be filed with an employee's immediate supervisor within thirty (30) days following occurrence or the employee becoming aware, through the exercise of due diligence, of the action that is the subject of the grievance. If the action or conduct of the first line supervisor is the basis of an employee's grievance, the grievance may be filed with the second line supervisor.

An employee must state in writing the basis of the grievance or complaint together with the corrective action desired. If an employee wishes to submit additional information or documentation, it should be attached to the grievance.

If a grievance is filed that alleges discrimination on the basis of race, color, religion, national origin, sex, age, disability, sexual orientation, gender identity, ancestry or veteran's status, the recipient of this grievance must immediately notify the cabinet or agency EEO Coordinator to apply the affirmative action plan.

Interviews to evaluate or investigate the grievance outside of normal work hours with the grievant or other employees entitle them to compensatory time.

Interviews to evaluate or investigate the grievance held with the grievant or other employees do not require the use of leave time.

Grievant may have a representative present at each step of the grievance procedure.

#### Grievance Levels

The person with whom the grievance is filed shall, upon investigation, issue findings and a decision in writing to the employee within five (5) workdays after receipt of the grievance. If the responding supervisor is unable to resolve the complaint to the satisfaction of the employee, the employee may request review of the grievance within two (2) workdays of receipt of the decision to the next appropriate level.

If the line supervisors are unable to resolve the grievance to the satisfaction of the employee, the employee may request review of the grievance within two (2) workdays of receipt of the decision of the final line supervisor by the appointing authority who, upon investigation, shall issue findings and a final determination in writing to the employee within ten (10) workdays.

Unless the time limits have been extended by agreement of the parties, failure of supervisory or management personnel to respond within prescribed time limits shall automatically advance the grievance to the next review level.

Any intermediate grievance level may be waived by written agreement of the parties.

### **General Information About Your Employment**

Kentucky state government has made a commitment to you guaranteeing equal employment opportunity under the law regardless of your race, color, national origin, sex, religion, age, disability, or veteran's status. The law also provides other legal protections against retaliation in employment based on political affiliations or beliefs and employees who report wrongdoing to the appropriate authorities. With programs like the Employee Suggestion System and educational opportunities for career development, the state has promised to recognize and reward resourceful and productive employees.

When you accepted a state position, you also made a commitment to your employer. Your effort to do a good job and work according to the standards and policies set by your employer will show that you recognize your responsibility to the citizens of Kentucky.

Kentucky state government is made up of three branches: the Legislative Branch, the Judicial Branch, and the Executive Branch. As an employee of the state, your position is assigned to an agency within the Executive Branch. Your position is also identified as being under the "merit system"—also called the "classified" service—or outside the merit system in the "unclassified" service.

The Legislative Branch is made up of the elected members of the Kentucky General Assembly and staff. Legislators are chosen by voters in their districts to serve in either the House of Representatives or the Senate. With the aid of their professional staffs employed in the Legislative Research Commission (LRC), they write and enact the laws of Kentucky. LRC employees are not covered by the merit system in KRS Chapter 18A.

The Judicial Branch includes the state's court system. It interprets and applies the laws under the Kentucky and United States constitutions. As with the Legislative Branch, Judicial Branch employees are not covered by the KRS 18A Merit System.

The Executive Branch, headed by the governor, carries out the laws through "agencies" – cabinets, departments, boards, commissions, and offices. Most Executive Branch employees are covered by one of the three merit systems: KRS 18A; KRS 151B; and KRS 16.

Within the Executive Branch, agencies are grouped into "Cabinets." As head of the Executive Branch, the governor may organize agencies so they will function more efficiently. Agencies are sometimes organized when the governor finds they may work better under a different structure.

The Executive Branch now has eleven cabinets. They are: Education and Workforce Development, Finance & Administration, Justice & Public Safety, Economic Development, Transportation, Health and Family Services, Labor, Energy and Environment, Public Protection, Personnel, and Commerce.

### **Glossary of Terms Relating to Employment**

Because terms found in this section are used by Human Resource Administrators and agencies in very limited and technical ways, you should refer to this section whenever someone uses one of them. Remember, this is only an informational booklet. You should refer to the appropriate law or regulation for more precise information. The statutes governing the Merit System are in [KRS Chapter 18A](#). The regulations are in [101 KAR Chapters 1-3](#).

**AGENCY:** An administrative body created by the Kentucky Constitution or by the legislature or governor under the provisions of law to carry out or perform governmental services required by the constitution or state law. (Example: Commission on Human Rights)

**APPOINTING AUTHORITY:** The agency head or any person who he has authorized by law to designate to act on behalf of the agency with respect to employee appointments, position establishments, payroll documents, register requests, waiver requests, requests for certification, or other position actions. Such designation shall be in writing and signed by both the agency head and his designee. Prior to the exercise of appointing authority, such designation shall be filed with the secretary.

**BASE SALARY OR WAGES:** The compensation to which an employee is entitled under the salary schedules adopted pursuant to the provisions of KRS 18A.030 and 18A.110. Base salary or wages shall be adjusted as provided under the provisions of KRS 18A.355 and 48.130.

**BOARD:** The Personnel Board created by KRS 18A.045.

**CABINET:** The Personnel Cabinet provided for in KRS 18A.015, unless the context indicates otherwise.

**CAREER EMPLOYEE:** A state employee with (16) or more years of permanent full-time state service, or the part-time employment equivalent of at least (16) years of full-time state service. The service may have been in the classified service, the unclassified service or a combination thereof. SEE [KRS 18A.005\(4\)](#); [18A.115\(4\)](#); [18A.135](#).

**CERTIFICATION:** The referral of the name of one (1) or more qualified prospective employees by the secretary on request of an appointing officer for consideration in filling a position in the classified service.

**CLASS:** A group of positions sufficiently similar as to duties performed, scope of discretion and responsibility, minimum requirements of training, experience or skill, and such other characteristics that the same title, the same tests of fitness, and the same schedule of compensation have been or may be applied to each position in the group. SEE [KRS 18A.005 \(6\)](#)

**CLASSIFIED EMPLOYEE:** An employee appointed to a position in the classified service whose appointment and continued employment are subject to the classified service provisions of KRS 18A.

**CLASSIFIED POSITION:** A position in the executive branch of state government that is not exempt from the classified service under KRS Chapter 16, KRS 18A.115, KRS Chapter 151B, or any other provision of law.

**CLASSIFIED SERVICE:** Includes all the employment subject to the terms of KRS Chapter 18A except for those positions expressly cited in [KRS 18A.115](#); a "classified position" is a position in the classified service. [SEE [KRS 18A.005 \(9\)](#).]

**CLASS SPECIFICATION:** The standard developed by the Personnel Cabinet that states the class title, title code, selection method, information, salary information, characteristic of the class, minimum requirements, examples of duties and responsibilities, date established, and last revision.

**ELIGIBLE:** Refers to a person who has made a passing score on any examination required under KRS 18A.010 to 18A.200 and who has qualified to be placed on a register.

**EMPLOYEE:** A person regularly appointed to a position in the state service for which he is compensated on a full-time, part-time, or interim basis.

**DEMOTION:** A change in the rank of an employee from a position in one class to a position in another class having a lower minimum salary range and less discretion or responsibility. [SEE [KRS 18A.005 \(11\)](#).]

**DETAIL TO SPECIAL DUTY:** The temporary assignment of an employee to a vacant position other than that to which he is regularly assigned; is limited to no more than one year. Requires the approval of the Secretary of Personnel.

**DISMISSAL:** The involuntary termination of an employee from state government. Unclassified employees and employees serving initial probation may be dismissed without cause. Classified employees with status may be dismissed for cause only. An employee (classified or unclassified) dismissed for cause may appeal to the Personnel Board.

**EXEMPT POSITION:** A position defined as "EXEMPT" under the Fair Labor Standards Act (FLSA) is not covered by the overtime provisions of this Act. (See Compensatory Leave and Overtime Pay).

**FEDERALLY FUNDED POSITION:** A full-time or part-time position in which the unclassified employee is eligible for benefits at the same level as a classified employee in a permanent position.

**FEDERALLY FUNDED TIME-LIMITED EMPLOYEE:** An employee in the unclassified service, appointed to a position that is funded one hundred percent (100%) by a federal grant or grants. An employee appointed to a federally funded time-limited position shall be required to meet the minimum requirement for the classification in which he or she is hired and, subject to the provisions of KRS 18A.113, shall serve at the pleasure of the appointing authority during a period of time that shall not exceed the life of the federal grant that funds the position. A federally funded time-limited employee who has been aggrieved by notice of disciplinary action or termination, other than an action based on expiration of the federal grant funding, may petition the appointing authority of the agency for the opportunity to be heard by the appointing authority or his designee prior to the effective date of the disciplinary action or termination. The decision of the appointing authority shall be final except as provided by KRS 18A.095(14) and 18A.140. A federally funded time-limited employee shall not have the right of appeal to the Personnel Board except as provided by KRS 18A.095(14) and 18A.140..

**FULL-TIME EMPLOYEE:** An employee in a full-time position.

**FULL-TIME POSITION:** A position, other than an interim position, requiring an employee to work at least thirty-seven and one-half (37.5) hours in a work week, except for the following:

- a) Position in the state parks, where the work is assigned is dependent upon fluctuations in tourism, may be assigned work hours from twenty-five (25) hours per week during the off seasons and remain in full-time positions; and
- b) Positions in health care facilities, which regularly involve three (3) consecutive days of twelve (12) hour shifts to cover weekends, shall be considered full-time.

**GRADE CHANGE:** The assignment of a different pay grade to a class of positions based upon a change in relation to other classes or to labor market conditions. May be to a higher or lower pay grade.

**HUMAN RESOURCE ADMINISTRATOR:** The agency or department employee(s) responsible for personnel administration.

**INITIAL PROBATION:** The period of service following initial appointment of any position under [KRS 18A.010](#) to [18A.200](#) which requires special observation and evaluation of an employee's work and which must be passed successfully before status may be conferred as provided in [KRS 18A.110](#) and by the provisions of this chapter. If the appointee is granted leave in excess of twenty (20) consecutive work days during this period, initial probation shall be extended for the same length of time as the granted leave to cover such absence. "Initial probation" does not include a probationary period served by a laid-off employee who accepts a bona fide written offer of appointment. [SEE [KRS 18A.005 \(19\)](#).]

**INTERIM EMPLOYEE:** An unclassified employee without status who has been appointed to an interim position that shall be less than nine (9) months duration.

**INTERIM POSITION:** A position established to address a one-time or recurring need of less than nine (9) months duration and exempt from the classified service under [KRS 18A.115](#).

**KAR:** The Kentucky Administrative Regulations that regulate agency implementation of programs within limits set by statutes.

**KRS 18A:** The Kentucky Revised Statutes dealing with state personnel and the merit system.

**NON-EXEMPT POSITION (and employee occupying):** An employee in a position defined as "NON-EXEMPT" under the Fair Labor Standards Act (FLSA) is entitled to receive time and a half for each hour worked over forty hours in a workweek. The employee has the option of being paid for the extra hours or may choose to receive compensatory time. This option may only be changed every six (6) months.

**P-1 (Personnel Action):** The document, which when approved, notifies an employee of an action affecting his/her status, pay, position, classification or other condition of employment.

**PART-TIME EMPLOYEE:** An employee in a part-time position.

**PART-TIME POSITION:** A position, other than an interim position, requiring an employee to work less than one hundred (100) hours per month.

**PD (Position Description):** The official document that describes the tasks and responsibilities assigned to a specific position. This document is used in determining the job class a position is assigned.

**PENALIZATION:** Includes, but is not limited to, demotion, dismissal, suspension, fines and other disciplinary actions, involuntary transfers; salary adjustments; any action that diminishes the level, rank, discretion, or responsibility of an employee without proper cause, including a reclassification or reallocation; and the abridgement or denial of other rights granted to state employees.

**PERSONNEL BOARD:** The agency created by law to conduct hearings on appeals filed by employees who allege that they have been penalized by their employer (agency) in a manner that violates KRS 18A and the personnel administrative regulations. The Personnel Board also writes regulations governing how employees may be promoted, transferred, demoted, or disciplined.

**PERSONNEL CABINET:** The central agency created by law to administer and implement the state merit system and provide guidance to all other agencies on acceptable human resource practices. This agency is also responsible for administering the statewide classification plan, compensation plan, payroll and personnel processing, employment opportunities, health insurance, life insurance, and many other employee benefit programs.

**POSITION:** An office or employment in an agency (whether full-time, part-time, interim, occupied or vacant) involving duties requiring the services of one (1) person. [SEE [KRS 18A.005 \(25\)](#).]

**PROMOTION:** A change of rank of an employee from a position in one class to a position in another class having a higher minimum salary or carrying a greater scope of discretion or responsibility. [SEE [KRS 18A.005 \(26\)](#).]

**PROMOTIONAL PROBATION:** The period of service (consistent with the length of the initial probationary period) following the promotion of an employee with status which must be successfully completed in order for the employee to retain the position to which he/she has been promoted. If the employee is granted leave of more than twenty (20) consecutive workdays during this period, the promotional probation shall be extended for the same length of time as the granted leave to cover such absence. [SEE [KRS 18A.005 \(27\)](#).]

**REALLOCATION:** The correction of the classification of an existing position by placement of the position into the classification that is appropriate for the duties the employee has been performing and shall continue to perform. [SEE [KRS 18A.005 \(28\)](#).]

**RECLASSIFICATION:** The change in the classification of an employee when a material and permanent change in the duties or responsibilities of that employee has been assigned in writing by the appointing authority. [SEE [KRS 18A.005 \(29\)](#).]

RE-EMPLOYMENT: The rehiring of an employee with status who has been laid-off. [SEE [KRS 18A.005 \(30\)](#).]

RE-EMPLOYMENT REGISTER: The separate list of names of persons who have been separated from state service by reason of layoff. Re-employment registers shall be used as provided by the provisions of KRS 18A.110, 18A.130, and 18A.135.

REGISTER: Any official list of eligibles for a particular class and, except as provided in this chapter (KRS 18A), placed in rank order according to the examination scores maintained for use in making original appointments or promotions to positions in the classified service.

REINSTATEMENT: The privilege of restoration of an employee who has resigned in good standing at the option of the appointing authority, or who has been ordered reinstated by the Personnel Board or a court to a position in his/her former class, or to a position of like status and pay. [SEE [KRS 18A.005 \(33\)](#).]

REVERSION: Either the returning of a status employee to his or her last position held in the classified service, if vacant, or the returning of a status employee to a vacant position in the same or similar job classification as his or her last position held in the classified service. Reversion occurs after a career employee is terminated other than for cause from the unclassified service or after a status employee fails to successfully complete promotional probation, or in the case of a career employee after termination from the unclassified service, may only be appealed to the Personnel Board under KRS 18A.095(12).

SECRETARY: The secretary of the Personnel Cabinet as provided for in KRS 18A.015.

SENIORITY: The total number of months of state service.

STATUS: The acquisition of tenure with all rights and privileges granted by the provisions of KRS 18A after satisfactory completion of the initial probationary period by an employee in the classified service. [SEE [KRS 18A.005 \(36\)](#).]

TRANSFER: A movement of any employee from one position to another of the same grade having the same salary ranges, the same level of responsibility within the classified service, and the same salary received immediately prior to transfer. [SEE [KRS 18A.005 \(37\)](#).]

UNCLASSIFIED EMPLOYEE: An employee serving in an unclassified ("non-merit") position.

UNCLASSIFIED POSITION: A position in the unclassified service.

UNCLASSIFIED SERVICE: All the employment cited by [KRS 18A.115](#) and therefore exempted from the classified service.

## HIV and AIDS In The Workplace

### WHAT YOU SHOULD KNOW ABOUT HIV AND AIDS

AIDS is Acquired Immune Deficiency Syndrome- a serious illness that makes the body unable to fight infection. A person with AIDS is susceptible to certain infections and cancers. When a person with AIDS cannot fight off infections, this person becomes ill. Most people with AIDS will die as a result of their infection. AIDS is caused by a virus called Human Immunodeficiency Virus, or HIV. Early diagnosis of HIV infection is important! If you have been told you have HIV, you should get prompt medical treatment. In many cases, early treatment can enhance a person's ability to remain healthy as long as possible. Your doctor will help you determine the best treatment for you. Free anonymous and confidential testing and counseling is available at every health department in Kentucky. After being infected with HIV, it takes between two weeks and six months before the test can detect the antibodies to the virus.

HIV can be spread by:

- sexual contact (oral, anal, or vaginal intercourse) with an infected person when blood, semen or cervical/vaginal secretions are exchanged
- sharing syringes, needles, cotton, cookers and other IDU equipment with someone who is infected
- receiving contaminated blood or blood products (very unlikely now because blood used for transfusions has been tested for HIV antibodies since March, 1985)
- an infected mother passing HIV to her unborn child before or during childbirth, and through breast feeding
- receipt of transplant or infected tissue/organs or artificial insemination from an infected donor
- a needle stick or sharp injury in a health care setting involving an infected person (Infections can sometimes be prevented by taking post-exposure prophylaxis anti-retroviral drugs.)

You cannot get HIV through casual contact such as:

- sharing food, utensils, or plates
- touching someone who is infected with HIV
- hugging or shaking hands
- donating blood or plasma (this has NEVER been a risk for contracting HIV)
- using public rest rooms
- being bitten by mosquitoes or any other insect
- using tanning beds (always clean before and after each use)

Prevention:

- do not share needles or syringes with anyone
- do not have sexual intercourse except with a monogamous partner whom you know is not infected. If you choose to have sex with anyone else, use latex condoms (rubbers), female condoms or dental dams and water based lubricant every time you have sex

- educate yourself and others about HIV infection and AIDS

You should be tested if you:

- have had sex with someone who has HIV
- have had sex with someone who has or had any sexually transmitted disease (STD)
- have shared needles or syringes with someone who has HIV
- have had unprotected sex or you have had sex with someone who has had unprotected sex
- have had multiple sex partners or you have had sex with someone who has had multiple partners
- have had sex through prostitution (male or female)
- have had sex with injecting drug users
- had a blood transfusion between 1978 and 1985
- are a woman who is pregnant or desires to be pregnant and wishes to reduce the chance of your baby getting HIV from you should you be infected

If you need more information, please call:

Kentucky HIV/AIDS Program (Voice/TTY) 502-564-6539 or 1-800-420-7431  
The National AIDS Hotline 1-800-232-4630 (800-CDC-INFO), 1-888-232-6348 TTY  
Your local health department's HIV/AIDS Coordinator,  
Or go to the Kentucky Department for Public Health,  
HIV/AIDS Website at <http://chfs.ky.gov/dph/epi/hivaids.htm>

Remember: You can't tell whether or not someone has HIV just by looking at them.

### **How The Pay System Works**

As an employee of the state, you will receive your paycheck on the 15th and the 30th of each month, when those dates fall on a regular workday. Whenever a payday falls on a weekend or holiday, checks are issued on the last workday preceding the 15th and the 30th.

If you are a new employee, you will not receive a check the first payday following your first day of work. State government must pay its employees one pay period in arrears, so you will get your paycheck for hours worked during the previous pay period, not the current one. In other words, your end-of-the-month paycheck is for the period covering the first 15 days of the month.

A beginning employee must work a month before receiving pay for the first pay period. After that, new employees receive their pay checks when all other employees do. If you leave state employment, you will receive your last check two weeks after you leave.

Your paycheck stub provides you with information about your hours worked, earned leave balances, and deductions. Since your paycheck stub is really an itemized receipt, you should save it as a permanent record of your earnings, deductions, leave balances, taxes and hours worked. If you dispute any of the information of your pay stub, you should contact your agency payroll officer immediately.

Most state employees have their paychecks direct deposited automatically in their checking or saving account. This convenience saves time, postage, gasoline—and the anxiety of waiting in line. Ask your human resources administrator about this time saving option.

### **Human Resource Development Services**

Professional growth and development opportunities are available for employees and managers through the programs and services of the Office of Governmental Services Center (GSC) located at Kentucky State University in Frankfort. GSC is a state agency whose mission is to provide quality services in training, consultation, and organization development that help the individuals and agencies of state government continuously improve performance and meet the challenges of today and the future. GSC is committed to the professional delivery of innovative, quality-driven, customer-focused services through vision, leadership and teamwork.

#### Training Services

GSC offers a curriculum of more than thirty workshops. The management development curriculum includes topics such as fundamental and advanced leadership skills, managing under the merit system, performance management, and managing change. GSC also provides the Certified Public Manager program for current and potential managers (see below). The employee development curriculum includes topics such as interpersonal skills, problem solving, and other courses for development of the employee.

#### Organizational Development Consulting Services

GSC provides a variety of consulting services to state Cabinets and agencies in areas such as strategic planning and process improvement, which help agency leadership manage more effectively. GSC staff is also available to provide customized services and training to meet specific organization needs.

#### Certified Public Manager Program

The Kentucky Certified Public Manager (CPM) program is the official management certification training plan for the Commonwealth of Kentucky. The program is accredited by the National Certified Public Manager Consortium, and is available to state government managers, and employees with management potential. The CPM program is a challenging and comprehensive training curriculum requiring 300 hours of classroom instruction, completion of four projects demonstrating application of what is learned and satisfactory completion of several tests. The program normally takes 4 years to complete and results in official certification as a nationally recognized Certified Public Manager.

Successful completion of the CPM program makes the employee eligible for the Educational Achievement Award, and the employee is credited with two years of management experience in applying for certain state positions. Employees who complete the requirements and are awarded the Certified Public Manager certificate are also eligible to receive nine hours of academic credit toward the bachelor's degree in public administration and six hours toward the master's degree in public administration at Kentucky State University.

Detailed information about all aspects of the CPM program is available from GSC.

#### Educational Assistance

Eligible employees may apply for educational assistance through the Tuition Assistance or the Tuition Reimbursement program for courses that are related to the work of their agency. This program is administered on a decentralized basis by the cabinets and agencies that determine their own lists of approved courses, and establish specific internal procedures. The cabinets have the option whether to provide Tuition Assistance, which pays for tuition in advance, or Tuition Reimbursement, which provides reimbursement to the employee after successful completion of a course. Educational Assistance may be granted for studies at public or private colleges and universities, vocational and secondary schools, accredited correspondence schools, and other institutions. Employees who live or work in Franklin County and any adjoining county must take their classes at Kentucky State University, if the course is available there. Please note that under KRS18A's and 101KAR's, an Agency's appointing authority may grant tuition assistance or reimbursement to employees for courses that MAY NOT qualify an individual to meet the minimum requirements for a job outlined on the official Class Specification. Agencies and employees should check with the Personnel Cabinet to determine if the courses, degree etc. qualify to meet the current minimum requirements outlined on the class specification. This does not guarantee that the minimum requirements will not change at a future date based on changing job needs.

#### Agency Training Liaisons

To facilitate communication with employees about the services provided by GSC, each agency provides a training liaison as a communication link with GSC and to assist employees by providing information and enrolling them in classes. Employees must schedule training through their agency liaison. Agencies have different request and approval procedures. Please check with your agency liaison for the process in your agency.

#### Training Schedule

The GSC training schedule is prepared quarterly and class schedules are prepared about six months in advance. The workshop schedule and other informative articles about GSC are printed in the employee newsletter, the Commonwealth Communiqué' that is published quarterly. Agency liaisons also always have access to the most up-to-date schedule information. Schedules, course descriptions, trainer profiles, and other helpful information can be found at GSC web site.

For more information, contact the Office of Governmental Services Center at 502-564-8170.

#### Educational Achievement Award

On the 16th of a month, an appointing authority may grant a five (5) percent increase to an employee's base salary based on educational achievement, as follows:

- The employee has completed 260 hours of job related instruction (or the equivalent as determined by the Secretary of Personnel);
  - The employee began the course work after becoming a state employee and completed the course work after establishing an increment date;
  - The employee has completed the course work within five (5) years of the date on which it was begun;
  - The course work has not previously been applied toward an educational achievement award;
  - The agency has not paid for the course work or costs associated with it, in whole or in part;
  - The employee was not on educational or extended sick leave when the courses were taken;
  - The employee has successfully completed the Kentucky Certified Public Manager Program offered by the Governmental Services Center at Kentucky State University;
  - The employee has not previously received an educational achievement award for completing the Kentucky Certified Manager Program;
  - The employee has obtained the high school diploma, equivalency certificate, or passing score on the GED test:
- Outside of work hours;
  - While in state service; and
  - On or after January 1, 1984;
- The employee has not previously attained a high school diploma, equivalency certificate, or passing score on the GED test; and
  - The employee has not completed college coursework on the undergraduate or graduate level prior to obtaining the high school diploma, equivalency certificate or a passing score on the GED test.

An agency may elect not to participate in the educational achievement program if sufficient funds are not available.

An employee shall not receive more than one (1) educational achievement award in a fiscal year.

An employee shall not receive an educational achievement award and an adjustment for continuing excellence (ACE) based on the same training.

By submitting a personnel action to grant an educational achievement award, the appointing authority shall certify that all of the qualifying conditions established by this section for the appropriate type of educational achievement award have been met.

### **Information Technology Resources, Use of**

Electronic resources (i.e., personal computers, E-mail, Internet, etc.) are provided for the transaction of government business and no personal use is permitted. All information processed electronically through the state's computer resources is the property of the state, and is subject to inspection, recording, monitoring or removal by management at any time.

#### Responsibility for Compliance:

Each agency is responsible for assuring that employees within their organizational authority have been made aware of the provisions of the Internet and Electronic Mail Acceptable Use Policy (CIO-060), that compliance by the employee is expected, and that intentional, inappropriate use of Internet and E-mail resources may result in disciplinary action pursuant to KRS 18A up to and including dismissal. Employees are also responsible for adhering to the provisions set forth in the UserID and Password Policy (CIO-072).

#### Policy:

The acceptable use of Internet and E-mail represents the proper management of a state business resource. The ability to connect with a specific Internet site does not in itself imply that an employee is permitted to visit that site. Supervisors should work with employees to determine the appropriateness of using the Internet and E-mail for professional activities and career development during working hours, while ensuring that employees do not violate the general provisions which prohibit using the Internet and E-mail for personal gain.

This policy applies when the Commonwealth's Internet and E-mail resources are being used by employees, regardless of the time of day, location or method of access. Monitoring tools are in place to monitor employees' use of electronic mail and the Internet. Employees shall have no expectation of privacy associated with E-mail transmissions and the information they publish/store on the Internet using the Commonwealth's resources.

Excessive personal use of the Commonwealth's E-mail or Internet resource shall lead to loss of the privilege to use them.

#### Employee Responsibilities:

- State employees have an obligation to use their access to the Internet and E-mail in a responsible and informed way, conforming to network etiquette, customs, courtesies, and any or all applicable laws or regulation.
- As with other forms of publications, copyright restrictions/regulations shall be observed.
- Employees shall be aware that their conduct or information they publish could reflect on the reputation of the Commonwealth. Therefore, professionalism in all communications is of the utmost importance.

#### Unacceptable Uses:

Since the Internet constitutes an uncensored worldwide network, and E-mail provides for peer-to-peer communications between participants, they also have great potential for misuse.

An abuse may result in revocation of access, notification of agency management, and disciplinary action up to and including dismissal. Examples of inappropriate conduct include, but are not limited to:

- Using the Internet and E-mail for personal gain or personal business activities in a commercial connotation such as buying or selling of commodities or services with a profit motive.

Engaging in illegal activities or using the Internet for any illegal purposes, including initiating or receiving communications that violate any laws and regulations, including KRS 434.840-434.860 (Unlawful Access to a Computer) and KRS 512.020 (Criminal Damage to Property Law). This includes malicious use, spreading of viruses, and hacking. Hacking means gaining or attempting to gain the unauthorized access to any computers, computer network, databases, data or electronically stored information.

- Transmitting statements, language, images or other materials that are reasonably likely to be perceived as offensive or disparaging of others based on race, national origin, sex, sexual orientation, age, disability, religious or political beliefs.
- Using abusive or objectionable language in either public or private messages.
- Knowingly visiting pornographic or illegal sites, disseminating, soliciting or storing sexually oriented messages or images.
- Misrepresenting, obscuring, suppressing, or replacing a user's identity on the Internet or E-mail. This includes the use of false or misleading subject headers and presentation of information in the distribution of e-mail.
- Sending or forwarding chain letter.
- Developing or maintaining a personal Web page on or from a Commonwealth device.
- Distributing or forwarding unsolicited commercial E-mail.
- Soliciting money for religious or political causes, or advocating religious or political opinions.
- Using official dissemination tools to distribute personal information to include any information that constitutes an unwarranted invasion of personal privacy as defined in the Kentucky Open Records Act, KRS 61.870.
- Copying, disseminating or printing copyrighted materials (including articles, images, games, or other software) in violation of copyright laws.
- Other non business related activities that will cause congestion, disruption of networks or systems including, but not limited to, Internet games, online gambling, online auctions such as eBay, stock and sports ticklers, stock trading, Internet radio, unnecessary Listserve subscriptions and E-mail attachments, and chat rooms, such as Internet Relay Chat (IRC), I Seek You (ICQ), AOL Instant Messenger and similar computer conferencing chat rooms on the internet, downloading music or videos.

### **Internal Mobility Program**

If you are a state employee with merit status and want to be considered for promotion to a vacant position, you must:

1. Create an account and profile in the [Career Opportunities System \(COS\)](#) and submit or have an updated application in COS with the Personnel Cabinet's Division of Career Opportunities.

2. Meet the minimum requirements for the position for which you are applying and submit (apply) to that vacancy.

Employees on Internal Mobility (promotional) registers are not ranked. When an Internal Mobility register is requested, the names of all Internal Mobility applicants who have applied to that vacancy are sent to agencies that advertise a vacancy and request a register. Laid-off employees are referred to as re-employments and are eligible for this designation on registers for which they apply for up to five years. If this is the case, only the names of re-employments and internal mobility (current state employees with merit status) who have applied to the vacancy will be sent to the agencies. Summer, Interim, non-merit, and probationary employees are not eligible for Internal Mobility registers. Part-time merit employees are only eligible for part-*time* Internal Mobility registers otherwise they may apply to all competitive vacancies.

If you have any questions, contact the Personnel Cabinet, Division of Career Opportunities at (502) 564-8030 or you may email the COS Help Desk at: [CosHelp@ky.gov](mailto:CosHelp@ky.gov).

### **Kentucky Employee Assistance Program**

The Kentucky Employee Assistance Program (KEAP) is dedicated to helping employees find solutions to the personal problems that may hinder their effectiveness at work.

Problems concerning marital, family, or emotional distress, alcoholism and drug abuse, financial or even medical issues can seriously diminish an individual's job performance. As a progressive employer the Commonwealth of Kentucky recognizes that there are positive, workable solutions to many of these problems that trouble employees.

State employees and their dependents are eligible for KEAP services. There is no cost for its information or referral services. All of your contact with KEAP is confidential as required by state and federal law. Employee involvement with KEAP is permitted on state time with the supervisor's prior approval. Supervisors may refer employees to KEAP when job performance deteriorates, however participation is voluntary.

If you or your dependents could benefit from this assessment and referral service, call the KEAP office for more information. In Frankfort call 502-564-5788, or use the toll-free 1-800-445-KEAP number from anywhere in the state. Kentucky State Police also have an Employee Assistance Program. They can be reached at 502-573-1719.

Employee Assistance Branch (KEAP)  
Bush Building  
Frankfort, KY 40601  
Phone: 502-564-5788 or 800-445-5327  
Fax: 502-564-5189

*\*\* In the event a State Government employee or dependent experiences a psychiatric or chemical dependency emergency after regular working hours or on the weekend here are the guidelines to follow. You can access emergency care by calling 1-800-659-0349 (if covered under the State's Humana health insurance), calling 911 or contacting your nearest emergency medical care provider.*

## **Mediation**

The Kentucky Employee Mediation Program (KEMP), in the Personnel Cabinet's Office for Employee Relations, helps employees resolve disputes with their co-workers and their supervisors. The goal of the program is to help employees and supervisors deal with problems in the workplace before they escalate.

KEMP is a voluntary service, and is available to all Executive Branch employees, free of charge. Employees are not required to use leave time to attend the mediation when the employee has obtained prior approval of his/her supervisor. They can usually be scheduled in a week or two and take approximately three hours to complete. Either the employee or the supervisor may request mediation services. Mediation does not replace other avenues of dispute resolution which are available to state employees, such as grievances and Personnel Board appeals.

Mediation is a form of dispute resolution where a neutral mediator facilitates a meeting between parties in conflict, and helps them reach an agreement that is acceptable to both of them. The mediator does not take sides, make decisions, or advocate certain solutions.

Cases to be mediated by KEMP can include disputes between co-workers or between employee and supervisor. Some of the issues mediated are communication problems, personality conflicts, turf issues, ADA issues, FMLA issues, harassment, discrimination, and suspensions.

Before any mediation, the parties need to decide what issues they want to resolve, be prepared to listen respectfully to the other point of view, and have suggestions for working toward a solution that is acceptable to both sides. Since the mediator is a neutral facilitator – not an investigator – it is not necessary to prove anything. It is not the mediator's role to decide who is right and who is wrong.

For more information or to schedule mediation, call 564-3433 in Frankfort or 866/725-5463 outside Frankfort. Visit the website at <http://personnel.ky.gov/emprel/kemp/default.htm>

## **The Merit System**

By far, the greatest number of state employees in the Executive Branch work in the classified service, also frequently referred to as the "merit system." Positions not under the merit system generally include the staffs of the governor and lieutenant governor, policy-making managers, and interim employees (see [KRS 18A.115](#)).

The merit system emphasizes making personnel decisions (hiring, promoting, assigning work, and other matters) based on an individual's qualifications and performance. The merit system also protects state employee against arbitrary actions and discriminatory practices. For example, as discussed below, any disciplinary actions brought against a merit employee with status must provide specific written notice of the reasons for the action and provide a right of appeal to a neutral decision-maker, such as the Personnel Board.

Merit system employees serve a probationary period when they begin working for the state. Usually, the probationary period lasts six months, but may be as long as twelve months depending on the classification. When the probationary period is over, employees gain merit system "status," which gives employees certain additional rights and privileges.

The Personnel Cabinet and the Personnel Board administer and enforce the merit system. The merit system is codified in Chapter 18A of the Kentucky Revised Statutes, and in various administrative regulations. Additionally, KRS Chapter 16 and Title 502 of the Kentucky Administrative Regulations govern sworn officers in the Kentucky State Police. Certified and equivalent employees of the former workforce Development Cabinet, now part of the Education Cabinet, are governed by KRS Chapter 151B and 780 KAR Chapter 3.

### **Political Activities**

As your employer, state government encourages you to register and vote. Believing that it is each citizen's responsibility to be informed about the issues that affect your life within society, your state government will allow you four hours of paid leave to vote during work hours.

To protect you from political pressure in your job, certain restrictions have been placed upon your political activities. The KRS 18A.140 lists the political activities you may or may not do as a state merit system employee:

Discrimination and Political Activities Prohibited.

No person shall be appointed or promoted to, or demoted or dismissed from, any position in the classified service, or in any way favored or discriminated against with respect to employment in the classified service because of his/her political or religious opinions or affiliations, or ethnic origin, sex or disability. No person age forty (40) or over shall be discriminated against because of age. Favoritism or discriminatory treatment in Merit System employment on the basis of race, color, national origin, sex, religion, age, sexual orientation, gender identity, disability, or veteran's status is a violation of law.

The use or promise of political influence based upon an official position, whether actual or anticipated, of favorable or retaliatory treatment of a merit system employee or position is a violation of law.

Merit system employees may not be solicited to make contributions of money or services to political parties or candidates.

Merit system employees may not be actively involved in partisan political campaigns or candidates for elective political office but may run for non-partisan office if no salary other than a per diem payment is involved.

The following guidelines are taken from Opinions of the Attorney General who interprets the political activities law:

#### Permitted Activities:

1. Registration and Voting: Classified employees may register and vote in any election.
2. Expression of Opinions: All persons subject to the personnel rules have a right to privately express their opinions on all political subjects and candidates, but they may not take an active part in political management or political campaigns.
3. Contributions: it is lawful for classified employees to make voluntary cash contributions to political parties, candidates, or organizations. However, it is unlawful for classified employees to make contributions of goods, services, or labor.
4. Membership in Political Clubs: Classified employees may join a political club and attend its meetings but may not hold office or serve on committees of the club.
5. Attendance at political rallies, conventions, etc. is permitted and classified employees may participate in the selection of committeemen and committeewomen. Classified employees may vote at the lowest level of the selection process for delegates to the party conventions.
6. Political Pictures and Signs: It is lawful for classified employees to display political pictures or signs on their property.
7. Badges, Buttons, and Sticker: It is lawful for classified employees to wear political badges or buttons and voluntarily display political stickers on their private automobiles, however, no political badges, buttons, or other designations may be worn while on official duty or while the employee is conducting official business for the Commonwealth.
8. Precinct election officers: Classified employees may serve as precinct election officers at the polls.
9. Constitutional amendments, referenda, etc.: Classified employees may work actively for or against constitutional amendments, referenda or municipal ordinances in which they are interested, provided that state time and resources are not used for this purpose.
10. Transporting Voters: Classified employees on their own time may transport friends or relatives to the polls as a civic gesture, but may not transport voters to the polls as a part of an organized service to a political party, faction, or candidate.

#### Prohibited Political Activities:

The following political activities are prohibited whether the employee is on or off duty:

1. Political Party Involvement: Classified employees are prohibited from serving on or for any political committee, party, or other similar organization, or serving as delegate or alternate to a caucus or party convention, but may vote in the selection of delegates to a party convention or in the selection of precinct committeemen or committeewomen.
2. Political Contributions: A classified employee is prohibited from soliciting or handling political contributions.
3. Political Party Tickets: A classified employee is prohibited from soliciting the sale of or selling political party, faction, or candidate items or tickets, but a classified employee may voluntarily purchase such items or tickets.

4. Political Party Tickets: A classified employee is prohibited from serving as an officer of a political club, as a member or officer of any of its committees, of addressing such a club on any partisan political matters, or of being active in organizing it.
5. Political meetings and rallies: A classified employee is prohibited from serving in connection with preparation for, organizing or conducting a political meeting or rally or addressing such a meeting on any partisan political matter therein except to vote.
6. Partisan activity at the polls (at primary or regular elections) in the position of checker, challenger, or watcher, or in soliciting votes and assisting voters to mark ballots.
7. Candidacy for office: A classified employee is prohibited from becoming a candidate for nomination or election to any office, federal, state, county, or municipal, which is to be filled in an election in which party candidates are involved or for which compensation is paid (other than a per diem for school district office); or from soliciting others to become candidates for nomination or election to such offices.
8. Campaign literature distribution: A classified employee is prohibited from distributing campaign literature or material.
9. Nominating petitions: A classified employee is prohibited from initiating or circulating partisan political nominating petitions.
10. Solicitation of political support: A classified employee is prohibited from canvassing a district or soliciting political support from a party, faction, or candidate, either in person or writing.

If you have any questions please call the Personnel Cabinet's General Counsel at (502) 564-7430.

### **Retirement**

Your retirement plan as an employee of Kentucky state government is designed to give you long-term security in the years after your state service is completed. It also contains valuable benefits for your named beneficiary.

Most state employees belong to the Kentucky Employees Retirement System. Some employees of the Department of Education and the former Workforce Development Cabinet now part of the Education Cabinet are enrolled in the Kentucky Teachers' Retirement System. After you have identified which one pertains to you, you may request a free booklet detailing your retirement program for your retirement system. If you serve under both systems during your career, you may combine credits when you retire.

If you are planning on Retiring:

1. You need to contact the Kentucky Retirement Systems (KRS) to determine your options for retirement. Please refer to <http://www.kyret.com/contactKRS.htm> for contact information for KRS. Once you make a decision regarding your retirement, please contact your Human Resource Administrator. Refer to our Agency Personnel and Payroll Staff Listing at <http://personnel.ky.gov/NR/rdonlyres/28E34730-D5D7-4D50-9260->

[A2534C4109B9/0/PersPayList1.pdf](#) for a complete listing of agency Human Resource Administrators.

2. The Kentucky Public Employees Deferred Compensation Authority: To defer your payment(s) for accumulated leave (compensatory and annual) time to Kentucky Deferred Compensation (KDC) be sure to contact them 60 days in advance of your planned retirement date.
  - You must complete and sign a Participation Agreement far enough in advance for Kentucky Deferred Compensation to notify your payroll department prior to the issuance of the check(s) for your accumulated leave. Merely notifying KDC of your intention will not allow you to defer any payment for accumulated leave.
  - An extremely heavy workload is anticipated throughout 2008 and by making an appointment with the Marketing Staff and providing KDC with 60 days advance notice of your intention to retire you help ensure you receive the service you need.
  - To transfer dollars from your KDC account to KRS, KTRS, Legislative or Judicial Form Retirement in order to purchase service credit, you will need to submit the Direct Transfer/Rollover form to KDC.
  - Note: Any purchase of service credit begins with your retirement system. You will need to make an appointment with them and obtain the necessary forms and cost calculation information before Kentucky Deferred Compensation can assist you.

For further information on deferring accumulated leave or using your Kentucky Deferred Compensation account to purchase service credit, please call their Customer Service Center, toll free, at 800.542.2667, or in Frankfort at 573.7925.

3. Often there's much that goes into planning for retirement from a fiscal standpoint. Very few employees spend time planning for the psychological/emotional issues which occurs with retirement. Planning for a healthy transition is critical with all major life changes, even good change can be stressful. The Kentucky Employee Assistance Program (KEAP) offers an educational tool that highlights important issues to consider so you can make the healthiest transition into retirement. Prospective retirees may contact KEAP at 1-800-445-5327 or 502-564-5953 for more information or to speak with a counselor one-on-one.
4. The Kentucky Employees Health Plan (KEHP):  
As you retire (under 65 and not eligible for Medicare) keep in mind the following information pertaining to your health insurance benefits:
  - Your health insurance benefits will transition without a break in coverage. To ensure a smooth transition however, you must complete a Health Insurance Application and submit it directly to your retirement system.
  - If you are enrolled in the Commonwealth Select plan, you will be required to make a new insurance election as the Commonwealth Select plan is not available to retirees.
  - If you have an HRA (with the Commonwealth Select plan or a waiver) and/ or an FSA and have not incurred enough expenses prior to your retirement date

to deplete your funds, the remaining balance in your HRA and/or FSA will be forfeited upon retirement.

- If you are enrolled in the Commonwealth Select plan and you have the cross-reference payment option, your spouse will retain any HRA funds if they are actively at work.

For more information, please contact your retirement system.

#### Returning Retirees:

1. If you retire and determine you still have a desire to continue working, state employment may be an option for you. You will need to contact the Kentucky Retirement Systems to determine whether your employment with state government will affect your retirement benefits. If you decide to apply to a position with state government, you will need to apply to vacant positions posted on the Personnel Cabinet's website through the Career Opportunities System (COS). You can apply for positions of interest anytime 24 hours a day, seven days a week during the ten (10) day posting through COS.
2. Remember, if you are a returning retiree, you are no longer an Internal Mobility Candidate nor do you have Reinstatement privileges.

For more information pertaining to COS access the Personnel Cabinet's website at <http://www.personnel.ky.gov/employment/>

### **Reversion, Re-employment, and Reinstatement**

#### Reversion Rights Following Termination Without Cause or Resignation

An unclassified employee with at least 16 years of full-time state service, or the part-time equivalent, who is terminated without cause or is asked to resign is entitled to revert from a position in the unclassified service to a vacant position in the classified service in the class in which he or she last held status. The 16 or more years of service (representing career employee status) may include both the classified and unclassified service. The reversion salary is the same as the salary the employee last received in the classified service with adjustments for increases (such as increments) that would have been received if the employee had remained in the classified service. The employee does not serve a probationary period upon reversion.

Reversion rights are applicable only in the agency in which the employee is terminated.

#### Reemployment

Reemployment is defined as the rehiring of an employee with status who has been laid off or of an unclassified employee with career service who has resigned on request or been terminated without cause. Any career employee (an employee with 16 or more years of permanent full-time state service, or part-time equivalent) who has been laid off or unclassified, career employee who could not be reverted after termination or resignation) shall automatically be placed on the reemployment list for the class from which he/she was laid off/terminated. If the employee wishes to be placed on the

reemployment list for positions, he or she must meet the minimum requirements, pass the appropriate selection method (written exam, T & E rating, or qualifying), and notify the Personnel Cabinet in writing. No vacancy may be filled from a competitive register until all career employees on the reemployment list for that classification have been either hired or considered. If considered and not hired the employee shall be notified of the cause and may appeal the appointing authority's decision to the Personnel Board.

#### Reinstatement

Reinstatement as provided for in KRS 18A. 005 (33) is the restoration of an employee who has resigned in good standing, or who has been ordered reinstated by the board or a court to a position in his former class, or to a position of like status and pay.

### **Ridesharing (Office of Transportation Delivery)**

If you are interested in joining a car or van pool, or commuting by bus to work, contact the Transportation Cabinet, Division of Office of Transportation Delivery at (502) 564-7433 for referrals to individuals and agencies in your community. This office maintains a file of persons commuting to Frankfort.

### **Safety- Kentucky Safety Program**

Employees of every organization are the key to an effective safety program (see [101 KAR 2:150](#)). As a state employee, you are responsible for taking safety precautions to protect yourself and others from unnecessary safety and health hazards. This responsibility includes knowledge of and compliance with the Kentucky Safety Program Rules, and making suggestions for improved safety conditions or work practices to your supervisor. Fulfillment of these responsibilities will result in a safer work environment for all government employees.

Information on the Kentucky Safety Program as well as the Commonwealth of Kentucky's Safety and Health Manual can be found on the Personnel Cabinet's website at <http://personnel.ky.gov/programs/safetyprogram/default.htm>. You can also contact the State Safety Coordinator at (502) 564-6814.

### **State Materials and Equipment, Use of**

When state materials, equipment and resources are put to personal use, they must be replaced sooner, causing a drain on agency funds. State law, K.R.S. 11A.005 and 11A.040, prohibits a public servant from using public office to obtain a private benefit and from furthering his own economic interests through state employment. Therefore, when state employees use copy machines, telephones, stationery, computers, e-mail, bandwidth and other state resources as if they were their own personal property, they deprive the public of the use for which such resources were intended and violate the law. Since employees, too, are taxpayers, they also should be concerned about high government cost that could be avoided by careful use of state materials and equipment purchases with tax dollars. Although failure to realize individual responsibility for economical use of state property may seem a minor flaw in an otherwise excellent employee, the direct dollar loss for property and material abuse is large. The

conscientious employee will carefully use state materials and equipment purchased with tax dollars and takes care to avoid the personal use of state resourced. Statutory Reference: KRS 11A.005, KRS 11A.020, 11A.040 .

### **Telephone Usage**

Remember that state telephones are for state business and not personal convenience. Do not tie up state telephone lines with personal calls. If you call long distance from work, find out in advance from your agency what its policies are regarding payment for personal calls. Statutory Reference: KRS 11A.020.

When using the telephone, remember to identify who you are and what office has been reached when you answer. Be courteous, speak clearly, and pay attention to the caller. If you must transfer the caller to another line, explain what you are about to do. If you are taking a message for someone, repeat all the essential details to be sure they are correct and complete. Never leave the caller with the feeling he or she has gotten the "brush-off." To the caller, you represent the agency, and your telephone skills reflect directly upon the professionalism of your office.

### **Travel Regulations**

If you must travel on state business, your expenses will be reimbursed according to provisions of 200 KAR 2:006. These administrative regulations specify in detail what types of transportation are acceptable under what conditions; what costs for accommodations and meals are allowable; what receipts you must obtain to document your expenses; what conditions determine whether or not you may be reimbursed for expenses; and what forms you must use in order to have your expenses reimbursed. Do not assume that your agency will reimburse all travel costs. You may contact a person in your agency authorized to make such judgments, usually in your agency's fiscal office, or review the information available at <http://finance.ky.gov/internal/travel/>. You may find that your agency has agency-specific requirements to authorize travel.

Generally you should know that state employees are required to use the most efficient means of travel available and should use a state vehicle when available and practical rather than a personal vehicle. Employees should try to travel together rather than drive separate vehicles to the same place. Most out-of-state travel requires the prior authorization of the Office of the Controller in the Finance and Administration Cabinet via an electronic document in the Commonwealth's eMARS financial system.

Travel money, from state funds is not available in advance. If you are a member of the Commonwealth Credit Union or the Kentucky Employees Credit Union (see entry under Employee Benefits section of this handbook), you may qualify for a low-interest short-term travel loan. To obtain a travel loan, take a copy of your most recent P-1 (personnel action form) and a copy of your authorization to travel on state business to the credit union. You should contact your agency's human resource administrator if you have further questions.

## **Violence In The Workplace**

A growing concern among workers in both the public and private sector is safety from violence while at work. In response to this concern it is important that every employee be aware that violence and threats of violence are unacceptable workplace behaviors. Violence in the workplace involves more than the use of weapons. It can include shoving, harassing, and hitting as well as other acts.

The Commonwealth of Kentucky does not tolerate any actions that threaten its employees. Any such action will be dealt with immediately by management personnel and/or Security. This includes verbal and physical harassment, verbal and physical threats and any actions that may cause others to feel unsafe in our workplace. It is the responsibility of all employees and management to report threatening actions whenever they occur to management and to Security. All threatening incidents will be investigated by management and documented in personnel files. For additional information, please visit the Emergency Procedures for Employees by Building website at <http://finance.ky.gov/internal/emergency/>.

If a threat of violence occurs in the workplace, from employees or from customers, the supervisor must be made aware of the threat. If an incident of violence occurs at work it is important to provide employees in that work setting with psychological care within 24-48 hours by contacting either the Kentucky Employee Assistance Program at (502) 564-5788 or the Kentucky Community Crisis Response Board at (502) 564-0131.

## **Work Schedules**

State employees are expected to be at work on time. A full-time employee shall be required to work 37 ½ hours per week (some employees regularly work 40 hours a week) unless specified otherwise by the Appointing Authority or the Statutes. The typical workweek runs Monday through Friday, 8:00 a.m. till 4:30 p.m., with time off each day for lunch. (KRS 337.355) You are also entitled to rest breaks, according to KRS 377.365.

Agency managers have discretion in deciding what work hours best meet the needs of particular work place. If you work in a state hospital or correctional facility, for example, you may work a different shift than you office counterparts. Your lunch period may be less than an hour if it is necessary for staff to rotate to provide continuous coverage. In some units, employees must all take their rest break at the same time; in others, the work demands a staggered schedule. These are agency management decisions, so long as the agency complies with applicable laws.

Another area of discretion is flextime scheduling. An agency may offer some or all its employees the opportunity to design their own work schedules. Usually, agencies operating under flextime require that their employees work certain "core" hours during each day to ensure that there is a steady flow of work during the peak hours when services are most needed.

## **Your Employment Standing**

Your official employment standing with the state is documented in Personnel Form P-1. When you are hired, a P-1 form is sent by the hiring agency to the Personnel Cabinet where it is reviewed, approved or disapproved, and if approved, placed in your permanent employment file in the Personnel Cabinet. Copies are returned to the hiring agency, where agency records are kept, and a copy is given to you for your records. All future changes in your position, job classification, merit status rate of pay, and a number of other factors will be documented in P-1's. No changes requested by your agency are final and official until the Secretary of the Personnel Cabinet approves the P-1.

### **-LEAVE-**

#### **Annual Leave**

##### Annual (Vacation Leave) - Accumulation Rates

All full-time employees receive annual leave as a state work benefit. Part-time and Interim employees do not earn annual leave. Your length of service will determine the amount of annual leave you earn in a calendar year. A full-time employee shall have worked, or been on paid leave, other than educational leave with pay, for 100 or more regular hours per month to accrue annual leave.

Months of Service	Leave Accrued Annually
0-59 months	12 days per year; 1 day per month
60-119 months	15 days per year; 1 1/4 days per month
120-179 months	18 days per year; 1 1/2 days per month
180-239 months	21 days per year; 1 3/4 days per month
240 months and over	24 days per year; 2 days per month

##### Annual Leave (Accumulation Limits)

You may carry your annual leave forward from one calendar year to the next at the following rates:

Months of Service	Maximum to Carry Forward	37.5 hr wk	40 hr wk
0-59 months	30 working days	225 hrs.	240 hrs.
60-119 months	37 working days	277.50 hrs.	296 hrs.
120-179 months	45 working days	337.50 hrs.	360 hrs.
180-239 months	52 working days	390 hrs.	416 hrs.
240 months and over	60 working days	450 hrs.	480 hrs.

Leave in excess of the above maximum amounts shall be converted to sick leave at the end of the calendar year or upon retirement.

##### Annual Leave (Rules on Use and Payment)

The first rule to remember about annual leave is that you must always get advance approval from your supervisor before taking annual leave. To do this, you should complete your agency's appropriate leave form and give it to your supervisor early enough to obtain the supervisor's written consent before you take time off. If you do not receive prior approval for annual leave, your agency may refuse to pay you for the time you are absent and consider your absence as "unauthorized absence." Agencies may also take disciplinary action against employees who are absent without leave. An employee who is absent without authorization for 10 working days is considered to have resigned from employment.

If you resign from state employment, you will be paid for all accumulated annual leave, up to the legal maximum you are permitted to carry over from year to year, provided you give your agency at least 14 calendar days written notice of your final work day.; If you do not give at least 14 days notice, your agency can refuse to pay you for any annual leave time you have accumulated.

If you are laid off you will be paid for all unused accumulated annual leave time up to the legal maximum you are permitted to carry over from year to year. An exception may be made if your position is part of an approved plan for privatization of services and the successor employer agrees to credit you with your annual leave time.

If you are dismissed for cause or fail to give two weeks notice of resignation without proper notice, you may have to forfeit all of your unused annual leave time. Your agency will decide whether you are to receive payment for your accrued annual leave.

#### Annual Leave Sharing Program

1. The Commonwealth of Kentucky annual leave sharing program is created. An employee who has accrued an annual leave balance of more than seventy-five (75) hours may request that the appointing authority of the agency for which the employee works makes available for transfer a specified amount of his or her annual leave balance to another named employee authorized to receive leave under subsection (2) of this section. The employee may not request a transfer of an amount of leave that would result in reducing his or her annual leave balance to less than seventy-five (75) hours.
2. An appointing authority, with the approval of the secretary of personnel, may permit an employee of the agency to receive leave under this section if:
  - o The employee suffers from a catastrophic loss to his or her personal property, due to either a natural disaster or fire, that either has caused or will likely cause the employee to go on leave for at least ten (10) consecutive working days;
  - o The employee has exhausted his or her accumulated annual leave and compensatory leave balances; and
  - o The employee has complied with administrative regulations governing the use of annual leave.
3. The appointing authority, with the approval of the Secretary of personnel, shall determine the amount of leave, if any, that an employee within his or her agency may receive under subsection (2) of this section. Transfers of leave shall not exceed the amount requested by the recipient.

4. Leave may be transferred from an employee of one (1) agency to an employee within the same agency. With the approval of the Secretary of personnel and of the appointing authorities of both agencies, leave may be transferred from an employee of one (1) agency to an employee of another state agency. The Personnel Cabinet shall maintain records of leave transferred between employees and the utilization of transferred leave.
5. While an employee is on leave transferred under this section, he or she shall be deemed a state employee and shall receive the same treatment with respect to salary, wages, and employee benefits.
6. All salary and wage payments made to an employee while on leave transferred under this section shall be made by the agency employing the person receiving the leave.
7. Any leave transferred under this section that remains unused shall be returned to the employees who transferred the leave when the appointing authority finds that the leave is no longer needed and will not be needed at a future time in connection with the catastrophic loss for which the leave was transferred to an employee in his or her agency.
8. No employee shall directly or indirectly intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any other employee for the purpose of interfering with the employee's right to voluntarily contribute leave when authorized under this section. For the purpose of this subsection, "intimidate, threaten, or coerce" shall include, without being limited to, the promise to confer or the conferring of any benefit or effecting or threatening to effect any reprisal.

### **Blood Donation Leave**

The Kentucky Safety Program and the Personnel Cabinet are pleased to sponsor the American Red Cross Blood drive for State employees. Because of the many uses of each blood component, each blood donor may save several lives with his or her donation. Only whole blood donations qualify the employee to take blood donation leave.

The blood donation policy is as follows:

- Blood donation leave is granted for the purpose of donation and recuperation. The donation must occur during an employee's scheduled work hours in order to qualify for leave, which does not include the lunch period. Blood donation made outside scheduled work hours is not eligible for blood donation leave or compensatory time for the donation.
- Agencies are responsible for notifying their employees of the blood donation policy.
- All employees statewide are permitted to donate blood at any licensed blood center certified by the Food and Drug Administration.
- All employees are required to obtain prior supervisory approval for blood leave.
- All employees are required to submit verification to their supervisor of blood donation or deferral.
- Employees who donate shall receive four (4) hours leave time with pay for the purpose of donating and recovering from the donation. Leave time must be taken at the time of donation unless circumstances, as specified by the supervisor, require the donor to return to work. In this case, the unused portion of leave time will be credited as compensatory time.

- Employees deferred from donating shall not be charged for the time used in attempting to donate, but will not receive the four (4) hours leave time as those who donate.

If you have questions about the blood donation policy, call the Personnel Cabinet at (502)-564-6846. For questions about donating blood, call the Franklin County chapter of the American Red Cross, (502) 223-1795 or The Kentucky Blood Center, (800) 775-2522.

### **Compensatory Leave Time & Overtime Pay**

If your job is not determined to meet the criteria as executive, administrative, or professional (your human resource administrator in your agency can tell you how your job is designated) in accordance with the Federal Fair Labor Standards Act, and you are paid on a salaried basis, you will be given compensatory leave time for any hours you work beyond your usual hours of duty. Employees in this category are “non-exempt.” If you are paid by the hour or perform “non-exempt” duties (and are a 37.5 hour week employee), you will be paid for the hours worked up to and including 37.5 hours in the week. You will receive compensatory time, on an hour-for-hour basis for hours between 37.5 and 40 in a work week. For hours worked beyond 40 in a workweek, you will be paid time and one-half your regular rate of pay, unless you elect to receive compensatory leave at one and one-half hour for each hour worked over 40. If you elect to receive compensatory leave at time and one-half, this election must remain in effect for a minimum of six months.

If your job is determined to meet the criteria as executive, administrative, or professional, you will be given compensatory leave time for all hours worked in excess of your regular work schedule. This accrual will be on an hour for hour basis. Employees in this category are considered “exempt” employees – exempt from the overtime provisions of the Fair Labor Standards Act.

When you use your compensatory leave time during the same week you earn it, it does not count as “hours worked” for figuring overtime compensation. As with annual leave, you must request the use of your compensatory leave in advance.

The maximum amount of compensatory time that can be accumulated is 240 hours. Once 240 hours is reached, employees in non-policy making positions will be paid for a block of 50 hours and the balance reduced accordingly. Employees who have accumulated over 150 hours may request a block 50 payment; however, the agency is not required to pay until 240 hours is reached. If you transfer to another agency, you take your compensatory time with you to your new job-just as you do with accumulated sick leave and annual leave.

### **Court Leave**

All employees of Kentucky state government receive paid leave time whenever they must serve as jurors or comply with a court or administrative subpoena. Court leave is not granted though if you or a member of your family is a party involved in a court action as a private matter. If you or a member of your family is a party to the case, you must use annual or compensatory leave and request to do so in advance.

It is important to remember that court leave is only for time that crosses your scheduled work hours. The time you must spend traveling to court is also included in paid court leave. However, if you are dismissed from jury duty or from serving as a witness, you must return directly to your job.

Please show a copy of any court summons to your supervisor before taking court leave, otherwise your absences may not be properly authorized.

### **Special Leave of Absence-Educational Leave**

Special leave of absence may be granted, with or without pay, for up to 24 months, with the approval of your appointing authority and the Secretary of Personnel.

If granted, leave shall be granted either with pay (if the employee contractually agrees to a service commitment) or without pay.

You will not accumulate annual leave or sick leave while on special leave with pay. If your leave is without pay, you must make arrangements through the payroll officer to continue your health and life insurance. You must pay the total premiums.

### **Family and Medical Leave (FMLA)**

The Family Medical Leave Act is intended to balance the demands of the workplace with the needs of families, to promote the stability and economic security of families, and to promote national interests in preserving family integrity. It was intended that the Act accomplish these purposes in a manner that accommodates the legitimate interests of the employers, as well as minimize the potential for employment discrimination on the basis of sex, while promoting equal employment opportunity for men and women.

As a result of the federal FMLA, Kentucky State Government has enhanced some of your benefits as State employees. In areas where your benefits were already more generous than the federal law requires those benefits have been maintained at the higher level. The information contained in this section is a brief summary of the federal FMLA. The information presented in "yellow text" either clarifies State Government's policy or describes the enhanced benefits you receive as a State employee.

YOUR RIGHTS under the Family and Medical Leave Act of 1993:

#### **EMPLOYEE ELIGIBILITY:**

To be eligible for FMLA benefits, an employee must

1. Have worked for Kentucky State Government for a total of at least 12 months; and
2. Have worked or been on paid leave for at least 1,250 hours in the 12 months immediately preceding the first day of FML.

#### **LEAVE ENTITLEMENT**

A covered employer must grant an eligible employee up to a total of 12 workweeks of leave during any 12-month period for one or more of the following reasons:

- For the birth or placement of a child for adoption or foster care. **While the federal regulations state that a combined total of twelve (12) weeks shall be granted to an eligible husband and wife who work for the same employer, Kentucky State Government grants up to 12 weeks to each parent. An employee considered to stand in loco parentis to the child is also entitled to FMLA leave.**
- To care for an immediate family member (spouse, child, or parent or someone of similarly close blood or legal relationship who has resided with the employee for not less than thirty (30) days prior to first day of FML,) with a serious health condition; or to take medical leave when the employee is unable to work because of a serious health condition. **An employee considered to stand in loco parentis to a child with a serious health condition is also entitled to FMLA leave.**
- **Military Family Leave:** Effective January 16, 2009, there were amendments to the Family Medical Leave which provisions contained in the National Defense Authorization Act (NDAA).
  - **Military Care Leave** provides an eligible employee (including next of kin) up to 26 workweeks in a “single 12 month period” to care for a service member with a serious illness or injury incurred in the line of duty while on active duty.
  - **Qualifying Exigency Leave** provides an employee 12 weeks of Family Medical Leave to manage the affairs of a family member serving in the National Guard or Reserves who has been called to active duty in support of a “contingency operation” whereby the call to duty or a state call is under order of the President.

Although the FMLA allows the employers the option to require employees to use accrued paid leave for FMLA leave, **Kentucky State Government does not require that an employee’s leave for a qualifying condition be designated as FML until that employee has utilized all of his accrued sick and annual leave (with the exception that an employee may request, in writing, to retain up to 10 sick days).** An employee does not have to exhaust accumulated compensatory time before requesting FML. **If an employee uses paid leave for a qualifying condition, the up to 12 weeks of FML is not taken from that employee’s FML availability until the leave is designated as FML.** It is important to note that an employee may request qualifying leave to be designated FML at any time (even if the employee is still using paid leave). The employer is responsible for designating if an employee’s use of paid leave counts as FMLA leave based on information from the employee.

#### ADVANCE NOTICE AND MEDICAL CERTIFICATION:

The employee may be required to provide advance leave notice and medical certification or other supporting documentation. Request for leave may be denied if requirements are not met.

- The employee ordinarily must provide advance notice when the leave is “foreseeable.”

- An employer may require medical certification to support a request for leave because of a serious health condition, and may require second or third opinions (at the employer's expense) and a fitness for duty report to return to work.

Under certain circumstances, employees may take FMLA leave intermittently--which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedule.

- If FMLA leave is for the birth or placement for adoption or foster care, use of intermittent leave is subject to the employer's approval.
- FMLA leave may be taken intermittently whenever medically necessary for a seriously ill family member, or because the employee is seriously ill and unable to work.

#### JOB BENEFITS AND PROTECTION:

- A covered employer is required to maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. **As a State employee you will also have the State's share of your group life insurance provided while you are on FMLA.** If applicable, arrangements will need to be made for employees to pay their share of health insurance premiums while on leave.
- Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.
- The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

#### UNLAWFUL ACTS BY EMPLOYERS:

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

#### ENFORCEMENT:

- The U.S. Department of Labor is authorized to investigate and resolve complaints of violations.
- An eligible employee may file an appeal with the Personnel Board.

With the exception of the enhancements listed, Kentucky State Government will follow all federal regulations and guidelines.

### **Holidays**

Kentucky state government observes holidays amounting to 11.5 days (12.5 days in years there is a presidential election) of paid leave annually for state employees. The following list shows the holidays when you may expect to receive a paid holiday.

New Year's Day*	January 1
Martin Luther King Day	Third Monday in January
Good Friday	One-half day on the Friday that precedes the Easter holiday
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Presidential Election Day	Tuesday after first Monday in November of presidential election years
Veterans Day	November 11
Thanksgiving Day*	Fourth Thursday in November
Christmas Day*	December 25

\*An extra day is given for Thanksgiving, Christmas, and New Year's

When one of the above holidays fall on Saturday, it is observed on Friday. Holidays occurring on Sunday are observed on Monday.

### **Military Leave**

An active member of the United States Army Reserve, the United States Naval Reserve, the United States Air Force Reserve, the United States Marine Corps Reserve, the United States Coast Guard Reserve, the United States Public Health Service Reserve, or the Kentucky National Guard, required to serve under order or training duty shall be without loss of the regular compensation for a period not to exceed the number of working days specified in KRS 61.394, per federal fiscal year (October-September), provided your military orders require your absence from your state job. Any additional military leave time must be charged to your accumulated annual or compensatory leave balance or be charged as leave without pay.

Your appointing authority may require you to present a copy of the military orders requiring your absence from work before granting military leave.

Any state employee who enters active military duty must be granted leave of absence without pay for the period of that duty up to six years. Although your agency and the Secretary of Personnel must grant such leave, you must request it in order to avoid being dismissed for abandonment of your job without obtaining official leave.

When you return from active duty, your employer must restore you to a job of like seniority, status, and pay under [KRS Chapter 61](#). An employee restored from military leave is treated as though he or she was in continuous service.

### **Military Leave, Spousal**

Any state employee who is the spouse of an active member of the United States Army Reserve, the United States Naval Reserve, the United States Air Force Reserve, the United States Marine Corps Reserve, the United States Coast Guard Reserve, the United States Public Health Service Reserve, or the Kentucky National Guard, who is called upon to serve under Federal orders (deployment) shall be granted one day paid leave prior to deployment and one day paid leave upon return from deployment, per federal fiscal year (October-September).

Your appointing authority may require you to present a copy of your spouse's military orders prior to approving the use of this leave.

### **Sick Leave**

#### Sick Leave (Accrual of Leave)

- (a) An employee, except a part-time employee, shall accumulate sick leave with pay at the rate of one (1) working day per month.
- (b) An employee shall have worked or been on paid leave, other than educational leave, for 100 or more regular hours in a month to accrue sick leave.
- (c) An employee shall be credited with additional sick leave upon the first day of the month following the month in which the sick leave is earned.
- (d) A full-time employee who completes 120 months of total service with the state shall be credited with ten (10) additional days of sick leave upon the first day of the month following the completion of 120 months of service.
- (e) A full-time employee who completes 240 months of total service with the state shall be credited with another ten (10) additional days of sick leave upon the first day of the month following the completion of 240 months of service. An employee with 240 or more months of service at the time of implementation of this section shall have the additional ten (10) days credited to the sick leave balance.
- (f) In computing months of total service for the purpose of crediting sick leave, only the months for which an employee earned sick leave shall be counted.
- (g) The total service shall be verified before the leave is credited to the employee's record.
- (h) A former employee who has been rehired, except as provided in paragraph (i) of this subsection, shall receive credit for prior service, unless the employee had been dismissed as a result of misconduct or a violation of KRS 18A.140, 18A.145, or 18A.990.
- (i) A former employee who is appointed, reinstated or reemployed, other than a former employee receiving benefits under a state retirement system, shall be credited with the unused sick leave balance credited to him upon separation.
- (j) Sick leave may be accumulated with no maximum.

## Rules on Sick Leave Use

As with annual leave, you are required to get advance leave approval for such non-emergency sick leave as doctor's appointments. If your need to use sick leave prevents advance notice, you are expected to call your supervisor or his or her designee as soon as possible. Remember, the same penalties that apply to unauthorized annual leave also apply to unauthorized sick leave when the absence is not a medical emergency. When you cannot give adequate notice, a timely telephone report to your supervisor may prevent your absence from being considered unauthorized.

At the termination of sick leave with pay, your agency will return you to your former position.

At the time of your retirement, you will receive service time credit for unused sick leave in accordance with the conversion chart maintained by the Kentucky Retirement Systems.

Sick leave with pay may be used when you have a medical, dental, or optical appointment. You may also use earned sick leave if you:

- are sick or injured;
- are pregnant;
- are caring for a sick or injured member of your immediate family for a reasonable period of time;
- would jeopardize the health of yourself or others at work;
- have lost by death a parent, child, brother, sister, their spouse, or any other person as specified in the regulations. (three days limit).

Your agency may limit the amount of time granted for the above conditions and may require a doctor's certificate to document your condition.

Sick leave may be used in 15-minute units.

A former employee who is appointed, re-instated, or re-employed, other than a former employee receiving benefits under a state retirement system, shall be credited with the unused sick leave balance credited to him upon separation.

## Why Save Your Sick Leave?

If you ever get sick or injured and you have to be absent from work for a long time, hopefully you will have enough sick leave and other leave to cover your absence. If you don't have enough leave time, chances are you will go "Off the Payroll", and be in a leave-of-absence-without-pay status. Below are some of the consequences of going "Off the Payroll" for a lengthy period of illness:

1. You won't be paid your salary.
2. You won't be paid for any Holidays that fall during your period of leave without pay.
3. You won't earn vacation and sick leave during this period.

4. You may have to work extra months to become a "Career Employee" or to qualify for retirement. Remember that you have to work, or be on paid leave (other than educational leave with pay), for 100 or more hours per month to gain service credit for the month.
- \*5. You must pay for your dependents' and your health insurance premiums, which would normally be deducted from your paychecks.
- \*6. You must pay for your Group Life Insurance premiums, which would normally be deducted from your paychecks.
- \*7. You will have to make your own payment arrangements for any normally payroll-deducted loans, insurance, etc.

Sick Leave With Pay Each state employee who works, or is on paid leave (other than educational leave with pay), for 100 or more hours per month accumulates sick leave with pay at the rate of one day per month. There is no limit to the number of sick days you may accumulate.

#### Sick Leave Without Pay

If you are sick or injured, you may take sick leave without pay for up to one year. To do so, you must complete the appropriate leave request form in your agency and furnish a medical certificate signed by a doctor certifying your specific condition.

If you take sick leave without pay, you may request to retain 10 days of your earned sick leave with pay in your sick leave balance for later use after you return to work. Whether or not you choose to use all of your sick leave with pay before taking leave without pay is up to you. When you are ready to return to work from sick leave without pay and have notified your agency of your ability to perform your job duties and have provided the appropriate medical documentation, your agency must return you to a position for which you are qualified and which resembles your former position as closely as circumstances permit. If you do not notify your agency of your readiness to work, your agency will notify you ten days before your sick leave without pay runs out. An employee who is unable to return to work at the end of one (1) year of sick leave without pay, after being requested to return to work at least (10) days prior to the expiration of such sick leave, shall be considered resigned by the appointing authority only if the appointing authority has been unable to place the employee in a vacant, budgeted position, with the same agency, for which the employee qualifies. The employee shall be given priority consideration for such vacant position, if he is capable of performing its essential functions with or without reasonable accommodation.

#### Sick Leave Sharing Program

In the event of a prolonged or catastrophic illness or injury, or an extended absence due to illness of a family member, eligible employees who accrue sick leave and who have exhausted their leave balances may have sick leave donated to them by other eligible state employees. Information on this program and the forms needed to receive or donate leave may be obtained from your Human Resource Administrator.

## Sick Leave Abuse

Your earned sick leave with pay is intended as a benefit for you to use at those times when you have a bona fide need for it. As your employer, the state has defined the terms for using sick leave very broadly, recognizing that there are many circumstances other than your own unexpected illness when you might justifiably claim sick leave. Sick leave cannot, however, be used for unnecessary occasions when it would be convenient for you to be absent. For those times, you must apply for annual or compensatory leave. The employee who abuses sick leave causes either a work slow-down or places an unfair strain upon fellow workers who must do the work in his or her absences. In consideration for your fellow workers, your agency, and the people state government serves, spend your sick leave time wisely. Remember that a large amount of accumulated sick leave with pay is your cheapest form of disability insurance.

## Sick Leave Longevity Award

Employees whose career work for the state reaches 120 months receive a bonus of 10 additional sick leave days in consideration for their service. After completion of 240 months, employees will receive 10 additional days of sick leave.

## **Voting Leave**

Voting leave must be requested in advance and the employee must be eligible to vote in the Kentucky county holding the election and must exercise that right in order to qualify. Agencies develop work schedules in advance that permit their employees to share the workload on Election Day while still taking leave time to go to the polls. Presidential Election Day is a state holiday. Regulatory References: 101 KAR 2:102 and 101 KAR 3:015. You are allowed up to four hours to vote or to apply for an absentee ballot. In order to be eligible for voting leave, you must (1) be registered to vote in the Kentucky county holding the election, (2) be scheduled to work on Election Day during the hours of 6:00 a.m. to 6:00 p.m. local time, and (3) notify your immediate supervisor prior to receiving voting leave. Employees who are authorized to work in lieu of taking voting leave shall receive four hours of compensatory leave.

## **Weather, Inclement Policy**

The normal working hours for employees in State Government Offices are 8:00 a.m. to 4:30 p.m., prevailing local time, Mondays through Fridays. Employees who work in 24-hour facilities such as parks, hospitals, prisons or residential facilities and employees who work in law enforcement, disaster and emergency services and on highway crews are the standard exception to the normal working hours policy. Appointing Authorities are authorized to approve flexible schedules when necessary to promote efficiency or provide reasonable accommodation.

In accordance with 101 KAR 2:102, it is the policy of State Government that state offices will remain open and that the working hours of state employees will not be altered due to adverse weather conditions. When weather conditions prevent an employee from

reporting to work at the normal time, or when an employee decides not to report for work or to leave work early due to weather conditions, the following apply:

1. If operational needs allow, supervisors are required to make every reasonable effort to arrange schedules to allow employees to make up time not worked. Employees are not allowed to make up the work if it would result in the employee working over 40 hours in a workweek. The employee has four (4) months from the occurrence of the absence to make up the time lost. If it is not made up within 4 months, annual or compensatory leave shall be used to cover the absence. If, at that time, the employee has no annual or compensatory leave available, then the employee shall have his/her time charged to leave without pay. If the employee transfers or is no longer employed by state government before the leave is made up, the leave shall be charged to annual or compensatory time or deducted from the employee's final paycheck; or
2. Employees may use accumulated annual or compensatory leave time for the late arrival, early departure or missed work day; or
3. If annual and compensatory leave have been exhausted, the employee may take leave without pay for the late arrival, early departure or missed workday.

Any employee who is on leave that was arranged prior to the inclement weather shall use the leave as originally requested.

## **-INSURANCE-**

### **Consolidated Omnibus Reconciliation Act of 1985 (COBRA)**

If you and/or any covered dependents lose group health insurance due to termination of your employment, or a reduction in work hours, you have the right to continue participation in KEHP at your own expense under COBRA. Refer to the Handbook for specific information.

### **Flexible Spending Accounts (FSA)**

You can elect to participate in a healthcare and/or a dependent care Flexible Spending Account (FSA). An FSA is pre-tax money you set aside, through payroll deductions, to use for certain expenses not reimbursed by your health insurance plan. You decide how much to contribute to your health care FSA. You may enroll in one or both Flexible Spending Accounts offered by the Commonwealth. You can use Health Care FSA dollars to pay toward out-of-pocket prescription costs; eligible medical expenses such as doctor's office visits, x-rays, and lab tests; and some services not covered by your health insurance plan. You can use Dependent Care FSA dollars to pay toward childcare services such as daycare or adult care. Refer to the Handbook for specific information.

### **Group Life Insurance**

The Group Life Insurance Branch provides all administrative services of the state contract, which includes the following duties: keeping an updated eligibility data base, reviewing and processing enrollments, bill generation and payment processing, claims

screening and submission, distribution of all materials and supplies, providing customer service and providing each employee with a summary of coverage.

The state paid Basic Life Insurance amount for all eligible employees is \$20,000 with an equal amount of Accidental Death and Dismemberment Insurance. Your employer pays the Basic Life Insurance premium.

#### Optional Insurance and Dependents Group Life

The Group Life Insurance Program offers you the option of purchasing additional insurance on yourself and/or your eligible dependents. Payments are made through payroll deduction. There are four optional plans and five dependent plans available. Your insurance coordinator with your agency has available employee packets with enrollment forms that describe the plans, dependent eligibility, and rates.

You can enroll in Optional Life Insurance and/or Dependents Group Life Insurance within 30 days of your employment by the Commonwealth of Kentucky without having to provide an Evidence of Insurability statement.

If you are enrolled in Optional Life Insurance Plan 3 or Plan 4 (coverage based on your annual salary), you have 30 days following the date of a pay increment to increase your insurance to corresponding plan volumes. Increasing your amount of insurance will also increase your premium.

You are also eligible to enroll in Dependents Group Life Insurance within 30 days of the time when you first acquire a dependent.

You can apply for or increase Optional and/or Dependents coverage at any time by completing a medical history statement (Evidence of Insurability) and submitting it to the insurance company.

#### Term Insurance

State sponsored group life insurance is term insurance. There is no cash value or paid-up value.

#### Effective Date

Your insurance takes effect on the first day of the second month following the month you were employed.

If you choose to purchase Optional Life Insurance and/or Dependents Group Life Insurance for your family at the time of your employment, this insurance coverage becomes effective on the first day of the second month following the month you were employed.

#### Life Insurance Benefit

In the event of your death, your beneficiary will be paid the amount of Life Insurance at the time of your death. The amount of benefits payable includes the amount of your Basic Insurance and any additional amount purchased under the Optional Life Insurance Plan.

If the loss of life is caused by an accident, the Accidental Death Benefit is payable to your beneficiary in an amount equal to your Basic Life Insurance and Optional Life Insurance, if selected.

If you select the Dependents Group Life Insurance for your family and a covered dependent dies, benefits will be paid to you.

#### Beneficiary Designation

You have the right to choose a beneficiary. If there is a beneficiary for the insurance, benefits are payable to that beneficiary. Any amount of insurance for which there is no beneficiary at your death will be payable to the first surviving class of the following classes of successive preference beneficiaries: your (a) surviving spouse; (b) surviving children; (c) surviving parents; (d) surviving brothers and sisters; and (e) estate

You may designate a new beneficiary at any time by completing a Beneficiary Designation form.

#### Leave Without Pay

Your insurance may be continued for up to a maximum of one year during an approved leave of absence without pay. After one year has expired, your coverage will terminate unless you return to work as an eligible employee. While on leave, you are responsible for making timely payments of the required contributions for Basic, Optional and Dependents Group Life Insurance.

#### Family and Medical Leave (FML)

The Commonwealth of Kentucky will continue paying your Basic Life Insurance. You are responsible for timely payments of your insurance premiums for Optional Life Insurance and Dependents Group Life Insurance.

#### Conversion

If you terminate employment (including through disability retirement), you are guaranteed the opportunity to convert all or part of your Basic, Optional and Dependents Group Life Insurance to an individual policy within 31 days following the date your insurance coverage ends, without having to provide Evidence of Insurability.

If you are enrolled in Dependents Group Life Insurance, a covered dependent can convert to an individual policy should your insurance end due to death or termination of employment. A spouse in a divorce situation and a dependent child who reaches the limiting age may also convert.

## Termination Date

Your insurance ends on the first day of the second month following your employment termination date.

In the event of your death, Dependents Group Life coverage will end on the first day of the month following the date of death.

## For More Information

Any questions regarding the state sponsored life insurance should be addressed with your agency's insurance coordinator or the Group Life Insurance Branch. In Frankfort, call 502-564-4774, or use the toll-free number, 1-800-267-8352, from anywhere in the state.

## Health Insurance

**For complete information regarding the Kentucky Employees' Health Plan (KEHP), please refer to the KEHP Benefits Selection Guide, available from your Agency's Insurance Coordinator. You may also view the Benefits Selection Guide on our website at [www.kehp.ky.gov](http://www.kehp.ky.gov).**

You are eligible to participate in KEHP if you are a full-time employee or part-time employee working more than 100 hours per month and are contributing to a state-sponsored retirement plan.

As a new employee, you have **30 days** from your date of hire to:

- Enroll in a health insurance plan (Commonwealth Maximum Choice, Commonwealth Optimum PPO, Commonwealth Capitol Choice or Commonwealth Standard PPO);  
**or**
- Elect to waive health insurance and enroll in a Health Reimbursement Account (HRA); **and**
- Enroll in and direct your employee contribution into a Healthcare Flexible Spending Account and/or a Dependent Care Flexible Spending Account.

If you fail to enroll in a health insurance plan, or fail to elect to waive health insurance within 30 days from your date of hire, you must wait until the next annual Open Enrollment period to enroll, unless you experience a Qualifying Event that allows you to enroll mid-year.

Enrollment applications signed between 31 and 35 days after the employee hire date may be accepted through the Grievance Process described in the Summary Plan Document which is posted on the KEHP website at [www.kehp.ky.gov](http://www.kehp.ky.gov). The granting of the extra 5 days is only available through the grievance process.

Your Insurance Coordinator will provide you with a 2010 Active Employee Application or you may enroll online via the KEHP website at [www.kehp.ky.gov](http://www.kehp.ky.gov). *Please note that you will not be able to enroll online until you receive log-in information from your Insurance Coordinator.*

If you decide to enroll in health insurance coverage, your effective date will be the first day of the second month following your month of hire. For example: if you begin work on January 1<sup>st</sup>, your health insurance coverage will become effective on March 1. If you begin work on January 16<sup>th</sup>, your health insurance coverage will become effective on March 1.

### Health Reimbursement Account (HRA)

If you elect to waive your health insurance coverage and elect, and are eligible to receive HRA funds, you will receive an employer contribution amount of \$175 per month, for a maximum contribution of \$2100, which will be deposited into a Health Reimbursement Account (HRA). An HRA is a federally qualified expense account that consists of funds set aside by employers to reimburse employees for qualified medical expenses such as doctor's office visits, x-rays, and prescriptions. *An HRA is an expense reimbursement account and not an insurance plan with co-pays, deductibles, etc.* Refer to the Benefit Selection Guide or visit the KEHP website at [www.kehp.ky.gov](http://www.kehp.ky.gov) for specific information.

### Premium Conversion (Pre-Tax Benefit)

The Premium Conversion (Pre-Tax Benefit) program gives an employee the opportunity to pay for the employee's portion of the health insurance premium with pre-tax dollars. This may save the employee money. An employee is automatically enrolled unless he/she signs a cancellation form either during Open Enrollment or within 30 days of his/her date of hire. If an employee chooses to participate in the Premium Conversion option, he/she must remain on it until the next Open Enrollment period. If the employee cancels out of this program and wishes to once again participate, he/she must re-enroll by signing an enrollment form during Open Enrollment. An Agency Insurance Coordinator can supply the employee with a cancellation form or a re-enrollment form should it become necessary.

### Additional Information

Visit KEHP's website at [www.kehp.ky.gov](http://www.kehp.ky.gov) for a variety of information including (select link below):

- [Health Plan Information](#)
- [Summary Plan Descriptions](#)
- [Flexible Spending Accounts and HRA Information](#)
- [Journey to Wellness Initiatives](#)

## **Social Security and You**

Social Security is part of almost everyone's life - more so than most of us realize. It is one of the best benefits offered by the Commonwealth to public employees.

Social Security protects more than 1,825,000 workers across the state and pays benefits to more than 700,000 Kentuckians through its retirement, disability and survivors programs. Social Security is also the base upon which most Kentucky public employee retirement systems is built.

#### Survivor's benefits

The importance of Social Security survivors' benefits is often underestimated. Younger Kentuckians face a 1 in 5 chance of succumbing before reaching age 65. Survivors' benefits are paid on a monthly basis to the deceased worker's family to help ease the loss of a wage earner.

The value of Social Security survivors' benefits for an average wage earner who leaves a spouse and two children is equivalent to a \$295,000 life insurance policy. The average payment for the spouse and two children is about \$1,350 per month, which may be increased based on the annual cost of living index--something few private insurance plans offer.

#### Disability benefits

Social Security also protects workers who suffer the tragedy of disability. Few workers have purchased private, long-term disability insurance. Studies show, however, that a 20-year-old worker has a 1 in 3 chance of being severely disabled before the age of 65. More than 144,200 disabled Kentuckians under 65 and 55,000 dependents receive assistance under the disability provisions.

Social security disability protection is equivalent to a \$350,000 disability policy for an average wage earner with a spouse and two children. The average monthly payment of a disabled worker in Kentucky is about \$805 and about \$1,200 for a disabled worker with a spouse and two or more children.

#### Retirement benefits

Almost every public employee who has retired receives Social Security benefits. Social Security pays monthly retirement benefits to a half-million retirees and their families across Kentucky. Benefits can equal as much as \$1,200 a month for workers earning the maximum under Social Security.

The usual retirement age for people retiring now is age 65. Social Security calls this "full retirement age," and the benefit amount that is payable is considered the full retirement benefit. Because of longer life expectancies, the full retirement age will be increased in gradual steps until it reaches age 67. This change starts in the year 2003 and it effects people born in 1938 and later.

#### Early Retirement

You can start your Social Security benefits as early as age 62, but the benefit amount you receive will be less than your full retirement benefit.

If you take early retirement, your benefits will be permanently reduced based on the number of months you will receive checks before you reach full retirement age. If your full retirement age is 65, the reduction for starting your Social Security at age 62 is about 20 percent; at age 63, it is about 13.3 percent and at age 64, it is about 6.6 percent.

## Medicare

Medicare is our nation's basic health insurance program for those 65 or older and many disabled individuals. There are two parts to Medicare: 1) Hospital Insurance-- sometimes referred to as Part A -- and 2) Medical Insurance--Part B.

Most get hospital insurance when they turn 65 - you qualify for it automatically if you are eligible for Social Security. If you have been getting Social Security disability benefits for 24 months, you will qualify for hospital insurance under the Medicare program.

Almost anyone eligible for the Medicare hospital insurance can sign up for its medical insurance. Medical insurance is an optional program, unlike the hospital portion of Medicare that is free.

## Your Future

The question most often asked about Social Security is "Will it be there for me?" Consider that Social Security has been in existence for more than 60 years. It is a flexible program that has been able to change with the needs of the beneficiaries it serves and the workers who provide the financing. Social Security is currently financed well enough to pay all estimated benefits for the next 40 years without any changes - at all! You can count on Social Security being there when you need it.

Your personal wage history and an estimate of your future Social Security benefits may be obtained by filing a Form 7004 with the Social Security Administration. The Form 7004 is available from your local Social Security office, the state Division of Social Security (1-502/564-3952) or by calling the Social Security Administration toll-free at 1-800/772-1213.

## **Unemployment Insurance**

If you are terminated without cause or laid off, you may be eligible to file for unemployment insurance benefits. If you have received notice of lay-off, you should immediately contact your local unemployment office or the Division of Unemployment Insurance at (502) 564-2900. Kentucky Relay Service 1-800-648-6057.

## **Workers' Compensation Insurance**

All state employees are covered under the Kentucky Worker's Compensation law, which pays employees part of their salaries for work-related injuries. If your claim is approved, your necessary medical expenses will also be paid.

If you are unable to work for an extended time because of a work related injury or illness covered by Workers' Compensation Insurance, you will be paid for your time off work. Workers' Compensation indemnity benefits are 66 2/3% of your average weekly salary.

You may, however, use your accumulated sick leave to keep your regular, full salary. If you choose to use your paid sick leave, your workers' compensation pay benefits must be assigned back to the state for whatever time you receive paid sick leave. Your sick leave will be reinstated to the extent that Worker's Compensation was assigned. You may not receive paid sick leave and Worker's Compensation pay for the same period of time. See KAR 2.140 Section 4 Workers' Compensation Fund and Program.

If you are injured on the job, you must report the injury as soon as possible to your supervisor. Supervisors are responsible for completing the Employer's First Report of Injury within 3 working days. This may be completed on-line at <http://personnel.ky.gov/emprel/workerscomp/default.htm>

Most injuries could probably be prevented if employees remain safety-conscious at all times. Review the General Safety Rules included in this handbook or contact the Kentucky Safety Program at (502) 564-6814. If you need additional information about Worker's Compensation, contact your agency personnel office or the Workers' Compensation Branch at (502) 564-6847.