COMMONWEALTH OF KENTUCKY
PERSONNEL CABINET
200 FAIR OAKS LANE
5th FLOOR
FRANKFORT, KENTUCKY 40601

Ernie Fletcher
Governor

Robert Ramsey, Sr.
Secretary

MEMORANDUM

PERSONNEL MEMO 04-14

TO: Cabinet Secretaries
Agency Heads
Personnel Executives

FROM: Robert Ramsey, Sr. Secretary

DATE: September 24, 2004

SUBJECT: Drug-Free Workplace Requirements/
Annual State Certification for Federal Grants
October 1, 2004 - September 30, 2005

Pursuant to current federal regulations, I must submit the state certification on behalf of all state agencies to the following:

U.S. Department of Agriculture
U.S. Department of Commerce
U.S. Department of Defense
U.S. Department of Education
U.S. Department of Energy
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Housing and Urban Development
U.S. Department of the Interior
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of Transportation

For all other federal agencies, state agencies must submit a copy of the enclosed certification with each grant application.

Enclosed is your agency's copy of the Kentucky State Certification for Federal Grants under the provisions of the Drug-free Workplace Act for Federal Fiscal Year 2003. This certification will be valid from October 1, 2004 through September 30, 2005.

Thank you for your continued cooperation. If you have any additional questions or concerns, please contact Stephanie Surratt at (502) 564-4460.

KENTUCKY STATE GOVERNMENT
ANNUAL MULTIPLE AGENCY CERTIFICATION REGARDING
DRUG-FREE WORKPLACE REQUIREMENTS
FEDERAL FISCAL YEAR 2003
OCTOBER 1, 2004 – SEPTEMBER 30, 2005

Pursuant to Executive Order 96-611 issued by the Governor of the Commonwealth of Kentucky on May 15, 1996, (attached as Appendix A) I, Robert Ramsey Sr., Secretary, Personnel Cabinet, do hereby certify, on behalf of Kentucky State Government, that all of its agencies are in compliance with the Drug-Free Workplace Act of 1988, as implemented by "Government-Wide Requirements for Drug Free Workplace" which appeared in the Federal Register on May 25, 1990 and has:

I. Published a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition (attached as Appendix B);

II. Established an ongoing drug-free awareness program to inform employees about:

   A. The dangers of drug abuse in the workplace;

   B. The grantee's policy of maintaining a drug-free workplace;

   C. Available drug counseling, rehabilitations, and employee assistance programs; and

   D. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

III. Made it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (l);

IV. Notified employee in the statement required by paragraph (l) that, as a condition of employment under the grant, the employee will:

   A. Abide by the terms of the statement; and

   B. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

V. Established a policy which will notify the federal agency in writing, within ten calendar days after receiving notice under subparagraph (IV)(B) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

VI. Established a policy which will take one of the following actions, within 30 calendar days of receiving notice under subparagraph (IV)(B), with respect to any employee who is convicted:

A. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

B. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency; (See Appendix A);

VII. Made a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs I through VI.

State Government, Commonwealth of Kentucky
Organization Name

Robert Ramsey Sr., Secretary, Personnel Cabinet
Name and Title of Authorized Representative

Robert T Ramsey
Signature

September 24, 2004
Date

State Agency	Federal Funding Agency
Cabinet for Economic Development	U.S. Department of Defense
Council on Postsecondary Education Eastern Kentucky University Kentucky State University Morehead State University Northern Kentucky University University of Kentucky University of Louisville Western Kentucky University	U.S. Department of Education U.S. Department of Agriculture
Department of Agriculture	U.S. Department of Agriculture Environmental Protection Agency U.S. Department of Homeland Security
Department of Education	U.S. Department of Education U.S. Department of Health and Human Services U.S. Department of Agriculture
Department of Fish and Wildlife	U.S. Department of the Interior U.S. Fish and Wildlife Service U.S. Department of Defense U.S. Department of Agriculture Environmental Protection Agency U.S. Department of Transportation U.S. Coast Guard U.S. Department of Justice
Department of Juvenile Justice	U.S. Department of Justice U.S. Department of Health and Human Services U.S. Department of Agriculture U.S. Department of Education
Education Professional Standards Board	U.S. Department of Defense U.S. Department of Education
Environmental and Public Protection (DAS)	Environmental Protection Agency U.S. Department of Interior Federal Emergency Management Agency (FEMA) U.S. Department of Energy U.S. Department of Defense U.S. Department of Homeland Security U.S. Housing and Urban Development U.S. Department of Justice U.S. Department of Transportation U.S. Department of Agriculture U.S. Department of Energy U.S. Department of Health and Human Services
Finance and Administration Cabinet Commonwealth Office of Technology Office of Geographic Information Systems Office of the Controller	Environmental Protection Agency (Pending YR05) NASA U.S. Health and Human Services U.S. Department of Agriculture

Kentucky Arts Council	National Endowment for the Arts
Kentucky Center for the Arts	National Endowment for the Arts U.S. Department of Education
Kentucky Commission on Human Rights	U.S. Department of Housing and Urban Development Equal Employment Opportunity Commission
Kentucky Educational Television	U.S. Department of Commerce (NITA/PTFP)
Kentucky Heritage Council	U.S. Department of the Interior National Park Service
Kentucky Higher Education Assistance Authority	U.S. Department of Education
Kentucky Historical Society	Institute of Museum Services/ Institute of Museum and Library Federal Highway Administration National Endowment for the Arts National Endowment for the Humanities U.S. Department of Education
Kentucky Horse Park	Federal Emergency Management Assistance (FEMA)
Kentucky State Police	U.S. Department of Justice U.S. Department of Transportation U.S. Department of Health and Human Services U.S. Office of National Drug Control Policy
Military Affairs (DMA)	U.S. Department of Defense U.S. Department of Transportation U.S. Department of Labor U.S. Department of Health and Human Services U.S. Department of Commerce U.S. Department of Education U.S. Department of Homeland Security
Office of the Governor	U.S. Dept. of Homeland Security
Transportation Cabinet	Federal Highway Administration Federal Transit Administration Federal Aviation Administration(these grants are issued directly to local airports) Federal Emergency Management Agency (FEMA) Federal Motor Carrier Safety Administration Appalachian Regional Commission U.S. Department of Homeland Security National Highway Traffic and Safety Administration Research and Special Programs Administration (US DOT)
Workforce Development Cabinet (DTE-HZ)Technical Education-Hazard, KY	Perkins
Workforce Development Cabinet (DTE-MD)Madisonville, KY	Perkins