PERSONNEL CABINET

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Erwin Roberts
Secretary

MEMORANDUM **PERSONNEL MEMO 05-17**

TO: Cabinet Secretaries
Agency Heads
Personnel Executives

FROM: Erwin Roberts, Secretary ER

DATE: September 27, 2005

SUBJECT: Drug-Free Workplace Requirements/
Annual State Certification for Federal Grants
October 1, 2005 - September 30, 2006

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 2005. This certification will be valid from October 1, 2005 through September 30, 2006.

If you have any questions or concerns, please feel free to contact Sonja Cox at (502) 564-4460 or via e-mail at sonjal.cox@ky.gov.

Thank you for your continued cooperation.

ER:sc

Enclosures: Kentucky State Government Annual Certification for Federal Grants
Agency Federal Funding Sources

KENTUCKY STATE GOVERNMENT
ANNUAL MULTIPLE AGENCY CERTIFICATION REGARDING
DRUG-FREE WORKPLACE REQUIREMENTS
FEDERAL FISCAL YEAR 2005
OCTOBER 1, 2005 – SEPTEMBER 30, 2006

Pursuant to Executive Order 96-611 issued by the Governor of the Commonwealth of Kentucky on May 15, 1996, (attached as Appendix A) I, Erwin Roberts, 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 (I);

IV. Notified employee in the statement required by paragraph (I) 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

Erwin Roberts, Secretary, Personnel Cabinet
Name and Title of Authorized Representative

Signature

September 27, 2005
Date

STATE AGENCIES FEDERAL FUNDING SOURCES 2005

(as of September 30, 2005)

STATE AGENCY	FEDERAL FUNDING AGENCY
GENERAL GOVERNMENT CABINET	
DEPARTMENT OF AGRICULTURE	U.S. Department of Agriculture Environmental Protection Agency U.S. Department of Homeland Security
DEPARTMENT OF MILITARY AFFAIRS	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 Education U.S. Department of Homeland Security
GOVERNOR'S OFFICE OF LOCAL DEVELOPMENT	Community Development Block Grant Appalachian Regional Commission Recreation Trails Program Land and Water Conservation Fund
KENTUCKY COMMISSION ON HUMAN RIGHTS	U.S. Department of Housing and Urban Development Equal Employment Opportunity Commission
KENTUCKY DEPARTMENT OF VETERAN'S AFFAIRS	U.S. Department of Veteran's Affairs
OFFICE OF THE GOVERNOR	U.S. Department of Homeland Security
OFFICE OF HOMELAND SECURITY	U.S. Department 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

STATE AGENCY	FEDERAL GRANTOR AGENCY
TRANSPORTATION CABINET (cont.)	
	Appalachian Regional Commission U.S. Department of Homeland Security National Highway Traffic and Safety Administration Research and Special Programs Administration (US DOT)
ECONOMIC DEVELOPMENT CABINET	U.S. Department of Defense
FINANCE & ADMINISTRATION CABINET	U.S. Environmental Protection Agency
KENTUCKY HIGHER EDUCATION ASSISTANCE AUTHORITY	U.S. Department of Education
COMMONWEALTH OFFICE OF TECHNOLOGY	NASA
OFFICE OF GEOGRAPHIC INFORMATION SYSTEMS	U.S. Department of the Interior U.S. Department of Justice
OFFICE OF THE CONTROLLER	U.S. Health and Human Services U.S. Department of Agriculture
COMMERCE CABINET	
DEPARTMENT OF FISH AND WILDLIFE	U.S. Department of the Interior U.S. Fish and Wildlife Service U.S. Department of Agriculture Environmental Protection Agency U.S. Coast Guard U.S. Army Corps of Engineers
KENTUCKY ARTS COUNCIL	National Endowment for the Arts
KENTUCKY CENTER FOR THE ARTS	National Endowment for the Arts

STATE AGENCY	FEDERAL GRANTOR AGENCY
COMMERCE CABINET (cont.)	
KENTUCKY CENTER FOR THE ARTS (cont.)	U.S. Department of Education
KENTUCKY HERITAGE COUNCIL	U.S. Department of the Interior National Park Service
KENTUCKY HISTORICAL SOCIETY	Institute of Museum Services/Institute of Museum and Library National Endowment for the Arts National Endowment for the Humanities U.S. Department of Education
OFFICE OF ENERGY POLICY	U.S. Department of Energy
EDUCATION CABINET	
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 EDUCATION	U.S. Department of Education U.S. Department of Health and Human Services U.S. Department of Agriculture
EDUCATIONAL PROFESSIONAL STANDARD BOARDS	U.S. Department of Defense U.S. Department of Education
KENTUCKY DEPT. OF LIBRARIES & ARCHIVES	Institute for Museum and Library Services (IMLS) National Historic Publications & Records Commission (NHPRC)

STATE AGENCY	FEDERAL GRANTOR AGENCY
EDUCATION CABINET (cont.)	
KENTUCKY EDUCATIONAL TELEVISION (KET)	U.S. Department of Commerce (NITA/PTFP)
DEPARTMENT FOR WORKFORCE INVESTMENT	
Workforce Development Cabinet (DTE-HZ) Technical Education-Hazard, KY	Perkins
Workforce Development Cabinet (DTE-MD) Technical Education-Madisonville, KY	Perkins
ENVIRONMENTAL AND PUBLIC PROTECTION CABINET	
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 Health and Family Services
HEALTH AND FAMILY SERVICES CABINET	Department of Agriculture Department for Health and Human Services Department of Energy Department of Education Corporation for National and Community Services Environmental Protection Agency Department of Labor Social Security Administration Department of Defense

STATE AGENCY	FEDERAL GRANTOR AGENCY
HEALTH AND FAMILY SERVICES CABINET (cont.)	
	Department of Justice Federal Emergency Management Agency (FEMA)
JUSTICE AND PUBLIC SAFETY CABINET	U.S. Department of Justice
DEPARTMENT OF CRIMINAL JUSTICE TRAINING	U.S. Department of Homeland Security
DEPARTMENT OF PUBLIC ADVOCACY	U.S. Department of Health and Human Services U.S. Department of Education U.S. Department of Labor Social Security Administration
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
KENTUCKY STATE POLICE	U.S. Department of Homeland Security 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
KENTUCKY VEHICLE ENFORCEMENT	MCSAP Governor's Highway Safety Homeland Security Justice Administration Local Law Enforcement Block Grant Marijuana Eradication High Intensity Drug Trafficking Area