



PERSONNEL CABINET

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Steven L. Beshear
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Secretary

MEMORANDUM

PERSONNEL MEMO 08-12

TO: Cabinet Secretaries
Agency Heads
Personnel Administrators

FROM: Nikki R. Jackson, Secretary 

DATE: May 7, 2008

SUBJECT: Protocols for Investigation by the Personnel Cabinet

KRS 18A.030 (2)(h) authorizes the Secretary of the Personnel Cabinet with the aid of her staff to: "Make investigations concerning all matters touching the enforcement and effect of the provisions of KRS 18A.005 to 18A.200 and administrative regulations prescribed thereunder..." This memorandum will identify the manner and circumstances under which the Personnel Cabinet will exercise the investigative authority prescribed by this statute.

The Personnel Cabinet has adopted a statement declaring its mission, vision and values and commits to exercise the investigatory authority it has been given in a manner consistent with that declaration. To this end, the Personnel Cabinet will restrict investigations that it may conduct to matters relating to the enforcement and effect of KRS Chapter 18A and the administrative regulations promulgated thereunder. The Personnel Cabinet will decline to exercise its investigative authority where the underlying purpose of the request, at the outset, appears to pursue a particular political or personal agenda. So that we may continue to honor our obligations to assure prompt and thorough investigations, both in keeping with the law our espoused values, at a minimum, letters/notices of complaint must include:

1. Name of Complainant
2. Name of person about whom complaint is made
3. Date of incident(s)
4. Statement regarding alleged policy/legal/regulatory violation
5. Names of witnesses (those with direct knowledge of the alleged violation).



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The Personnel Cabinet must also respect the rights of those accused of violations of the law to have the right to confront the witnesses and evidence against them. Therefore, the Cabinet reserves the right to decline to investigate any request or complaint where the individual insists on remaining anonymous and will not agree to make a statement in writing and subject to the penalties of making a false statement to authorities.

We encourage you to consider adopting this practice within your Cabinet/Agency. Your EEO Officers, via their membership in our newly created Equal Employment Opportunity Coalition, will be apprised of the same.