



## PERSONNEL CABINET

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**Steven L. Beshear**  
Governor

**Tim Longmeyer**  
Secretary

**PERSONNEL MEMO 11-21**

**TO:** Cabinet Secretaries  
Agency Heads  
HR Administrators

**FROM:** Tim Longmeyer, Secretary *TML*

**DATE:** November 10, 2011

**SUBJECT:** Annual State Certification for Drug-Free Workplace Federal Grants  
October 1, 2011 - September 30, 2012

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 2011. This certification will be valid from October 1, 2011 through September 30, 2012.

If you have any questions or concerns, please feel free to contact Joyce Wilcher at (502) 564-7430 or via e-mail at [joyce.wilcher@ky.gov](mailto:joyce.wilcher@ky.gov).

Thank you for your continued cooperation.

TL: jw

Attachments: Annual Certification for Drug-Free Workplace Federal Grants  
Agency Federal Funding Source 2011

**KENTUCKY STATE GOVERNMENT  
ANNUAL MULTIPLE AGENCY CERTIFICATION REGARDING  
DRUG-FREE WORKPLACE REQUIREMENTS  
FEDERAL FISCAL YEAR 2011  
OCTOBER 1, 2011 – SEPTEMBER 30, 2012**

Pursuant to Executive Order 96-611 issued by the Governor of the Commonwealth of Kentucky on May 15, 1996, (attached as Appendix A) I, Tim Longmeyer, 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 each 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.

Commonwealth of Kentucky, State Government  
**Organization Name**

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Tim Longmeyer, Secretary, Personnel Cabinet  
**Name and Title of Authorized Representative**

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*Tim Longmeyer*  
**Signature**

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November 10, 2011  
**Date**

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