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MEMORANDUM

PERSONNEL MEMO 15-29

TO: Cabinet Secretaries
Agency Heads
Constitutional Officers
HR Administrators

FROM: Dinah Bevington, Secretary *DB*

DATE: October 6, 2015

SUBJECT: Personnel Cabinet Regulation Amendments: 101 KAR 2:020, 101 KAR 2:034, 101 KAR 2:046, 101 KAR 2:056, 101 KAR 2:066, 101 KAR 2:120, and 101 KAR 3:045

Several amendments to Personnel Cabinet regulations became effective October 2, 2015 which will impact all employees. The Personnel Cabinet's Department of Human Resources Administration (DHRA) will be providing additional guidance, as necessary, to HR Administrators on these changes.

The essential features of the amendments are as follows:

101 KAR 2:020. Job classification plan.

- The amendments clarify the correct terminology within KHRIS.
- Amendments clarify what information is included in a "job class specification."
- Section 1(6): The provision which includes information about position descriptions is now moved to a new Section 4.

101 KAR 2:046. Applications, qualifications, and examinations.

- The amendments clarify the correct terminology within KHRIS, as well as amend grammatical or structural errors.
- The Application for Employment (incorporated by reference into this regulation), has been updated as follows:
 - Several edits for consistency, clarifications throughout, removal of unnecessary fields, and technical corrections.
 - The "conviction" information and Equal Employment Opportunity sections are updated to reflect current practice.



An Equal Opportunity Employer M/F/D

101 KAR 2:056. Registers.

- The amendments clarify the correct terminology within KHRIS.
- The amended "Application for State Employment" is incorporated in this regulation as well, as detailed above.

101 KAR 2:066. Certification and selection of eligible applicants for appointment.

- The amendments clarify the correct terminology within KHRIS and expands the language pertaining to the life of a register to include reference to the "job requisition."
- Section 2(3): A provision is added to include the following language: "Subject to the provisions of KRS 18A.113 and KRS 18A.135, a vacancy associated with an active register certificate may be filled by an eligible who did not apply if filled by lateral transfer, reinstatement, reversion, or demotion."
- Section 3. Preferences and Skills Questions: The title and language throughout this section is amended to change the term "preferred skills question" to "preferences and skills questions."

101 KAR 2:120. Incentive programs.

- Section 2(1): Additional language is provided about the Adoption Benefit Program to clarify when an adoption benefit may be denied pursuant to Executive Order (EO 98-1443).
- The State Employee Adoption Assistance Application (incorporated by reference) is amended to provide the ability to fill out the information electronically. Additional clerical changes are made throughout the form.

101 KAR 3:045. Compensation plan and pay incentives for unclassified service.

- The amendments clarify the correct terminology within KHRIS. Additional clerical amendments are made throughout.
- The amendments also create additional sections within the unclassified compensation regulation for consistency with the classified compensation regulation (101 KAR 2:034), such as the sections pertaining to return from leave without pay, salary schedule adjustments, maintenance and maintenance allowance, and supplemental premiums.
- Other changes summarized within the classified compensation regulation (101 KAR 2:034) are also made to the unclassified regulation for consistency, such as the conversion information and Employee Recognition Award (ERA) amendment. (See summary below)
- Section 11. Additional language is provided about the Adoption Benefit Program, consistent with the language located in the classified incentive program regulation (101 KAR 2:120) and the State Employee Adoption Assistance Application (incorporated by reference).

The following amendments will become effective November 6, 2015:

101 KAR 2:034. Classified compensation administrative regulations.

- Section 3(2)(b): The amendments now include "pay grade changes" as an additional action in which the terms of this provision are triggered.

- Section 3(10): A new subsection has been created to capture the conversion of an employee's salary when an employee moves from a 37.5 hour workweek position to a 40 hour workweek, or vice versa.
- Section 4(2): The amendments provide all instances in which an employee is not eligible for a promotional probationary period award. The regulation now includes demotions, reclassifications, and reallocations.
- Section 9(2)(a) and (b): The amendments clarify that agencies may give a supplemental premium for employees who regularly work Saturdays, Sundays **OR** holidays (current language says "AND" rather than "OR"). This is not a change in policy. An employee may qualify for weekend premium as well as a premium due to work on holidays.
- Section 9(3)(a): The amendments clarify that an employee is not eligible for the multilingual premium if interpreting services is a characteristic of the job on the job class specification.
- Section 10(1): The amendments provide that the maximum for an Employee Recognition Award (ERA) is up to 10% of midpoint of the grade. This is consistent with the handling of Adjustment for Continuing Excellence (ACE) awards.

These regulations may be viewed in their entirety on the Legislative Research Commission's website at <http://www.lrc.ky.gov/>. If you have any questions about the content of this memorandum, please contact the Personnel Cabinet's Office of Legal Services at (502) 564-7430.