



COMMONWEALTH OF KENTUCKY
OFFICE OF THE GOVERNOR

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GOVERNOR

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MEMORANDUM

PERSONNEL MEMORANDUM 20-05

To: Cabinet Secretaries
Agency Heads
Human Resource (HR) Executives

From: J. Michael Brown
Secretary of the Executive Cabinet
Governor's Designee

Gerina D. Whethers
Secretary, Personnel Cabinet

Date: May 1, 2020

Re: Personnel Restrictions

The State Budget Director has communicated to all Executive branch agencies that revenue shortfalls have now been estimated for the current fiscal year. The Quarterly Economic and Revenue Report issued on April 30, forecasts a General Fund shortfall for the current fiscal year ranging from \$319 to \$496 million, and a Road Fund shortfall ranging from \$116 to \$195 million. There are only two months remaining in the current fiscal year and immediate actions must be taken. The revised revenue forecasts for fiscal year 2021 are expected to reveal a much larger revenue shortfall.

Among the many actions that will be necessary to balance the budget, a restriction on hiring personnel is being instituted. This memorandum will serve as guidance on implementing that restriction. The following personnel restrictions are effective May 4, 2020:

1. Filling of all vacant positions will be restricted, unless an agency is filling a position that is critical to the mission of the organization, public services, maintaining health and life safety operations or in response to COVID-19. HR Executives will receive guidance from the Personnel Cabinet outlining approved exemptions to this restriction and updates to the current Merit Hiring Request process.

2. Adjustment for Continuing Excellence and Employee Recognition Awards are suspended.
3. Employees shall not be required or permitted to work more than 40 hours per week except in response to COVID-19, to ensure the delivery of critical public services, to maintain health and life safety operations, or to meet critical deadlines. No employee shall be authorized to work overtime if the overtime would result in the employee's compensatory leave balance reaching or exceeding 240 hours without prior approval from the agency's appointing authority or designee.
4. The salary adjustments of existing employees based upon a new appointment shall be reviewed and adjusted in accordance with 101 KAR 2:034(1). Agencies shall no longer adjust salaries across the board for all employees that do not have the similar combination of education and experience as set forth in the applicable administrative regulation.
5. Employees, except those in policy-making positions, who have a compensatory leave balance at or above 100 hours, shall utilize compensatory leave before annual leave, unless the employee's annual leave balance exceeds the maximum number of hours that may be carried forward pursuant to 101 KAR 2:102 and 101 KAR 3:015.

Thank you for your attention to these matters. If you have any questions, please contact Mary Elizabeth Bailey, Commissioner, Department of Human Resources Administration, at (502) 564-7571.