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MEMORANDUM

PERSONNEL MEMO 21-10

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

From: Gerina D. Whethers, Secretary

A handwritten signature in blue ink, appearing to read 'GDW', located to the right of the 'From:' field.

Date: May 25, 2021

Re: **Return to Work and Telecommuting Policy**

Telecommuting has been authorized for KRS Chapter 18A classified and unclassified employees for many years pursuant to 101 KAR 2:095, Section 8, and 101 KAR 3:050, Section 9. While telecommuting has been a viable option for KRS Chapter 18A employers for several years, it was heavily used by all employers during the COVID-19 pandemic. All Executive Branch employers successfully implemented teleworking, keeping their employees safe, while still meeting the needs and supporting the citizens of the Commonwealth.

With recent updates to the Centers for Disease Control (“CDC”) guidance for face coverings and social distancing, please be advised that Executive Branch agencies must implement their post-COVID workforce plans effective July 6, 2021, in accordance with the following requirements:

- Agencies may return their workforce to 100% on or after June 11, 2021;
- Any public facing office must ensure on-site office coverage beginning June 11, 2021;
- Appointing authorities have the following return to work options for their employees: full time in the office, compressed work schedules, flexible work schedules, telecommuting (full-time), or telecommuting (partial);
- At a minimum, Executive Branch Offices shall have staff coverage from 8:00 a.m. to 4:30 p.m., Monday through Friday;
- Agencies shall use the Executive Branch telecommuting policy as a baseline for any employee that may telecommute (full-time or partial). Agencies may enhance the policy in order to meet agency needs;
- When an agency requests to fill a vacancy via telecommuting, they must state, within the request, how the supervisor will measure productivity as required in the Executive Branch Hiring and Selection Procedure;
- KRS Chapter 18A employers and employees must continue to comply with the provisions of 101 KAR 2:095, Section 8, Telecommuting.

If an Appointing Authority seeks to transition a function, program or office to full time virtual that was formerly performed in an Executive Branch leased or owned building prior to the pandemic, the agency must submit a request for approval to the Personnel Cabinet by June 11, 2021. Requests should be emailed to Mary Elizabeth Bailey, Commissioner, Personnel Cabinet, Department of Human Resources Administration, at MaryE.Bailey@ky.gov.

Thank you.