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MEMORANDUM

PERSONNEL MEMO 21-22

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

From: Gerina D. Whethers, Secretary 

Date: December 15, 2021

Re: **Western Kentucky Tornado Response – FLSA Status**

To assure consistency in our personnel policies, protocols, and HR applications across the enterprise, and in response to the tornado destruction in Western Kentucky, please be advised of the following:

Appointing authorities may temporarily change the Fair Labor Standards Act (FLSA) status of non-policy making positions from “Exempt” to “Non-Exempt” status, if the majority of the job duties of the position are being performed in response to the Western Kentucky tornadoes.

This change may be effective retroactively to December 12, 2021 and shall remain in effect until rescission of this directive.

HR Administrators will be receiving detailed guidance for implementing this change, following the distribution of this memo. If you have any questions, please contact Mary Elizabeth Bailey, Commissioner, Department of Human Resources Administration, at (502) 564-7571.