

1 AN ACT relating to unclassified state employees.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 18A.155 is amended to read as follows:

4 (1) The secretary shall prepare and submit proposed administrative regulations to the
5 Governor for employees in unclassified positions enumerated in KRS
6 18A.115(1)(g), (h), (i), (j), (k), (p), (t), and (u). Such administrative regulations shall
7 become effective after approval by the Governor and promulgation in accordance
8 with KRS Chapters 12 and 13A. The administrative regulations shall provide:

9 (a) For the preparation, maintenance, and revision of a position classification plan
10 for all aforementioned positions in the unclassified service, based upon
11 similarity of duties performed and responsibilities assumed, so that the same
12 qualifications may reasonably be required for and the same schedule of pay
13 may be equitably applied to all positions in the same class. After such
14 classification plan has been approved by the Governor, the secretary shall
15 allocate the positions of every employee in the unclassified service to one (1)
16 of the classes of the plan. Any employee affected by the allocation of a
17 position to a class shall, after filing with the secretary a written request for
18 reconsideration thereof in such manner and form as the secretary may
19 prescribe, be given a reasonable opportunity to be heard thereon by the
20 secretary;

21 (b) For a pay plan for all aforementioned employees in the unclassified service,
22 after consultation with appointing authorities and the state budget director,
23 and taking into account such factors as:

- 24 1. The relative levels of duties and responsibilities of various classes of
25 positions;
- 26 2. Rates paid for comparable positions elsewhere; and
- 27 3. The state's financial resources.

- 1 Such pay plan shall become effective only after it has been approved by the
2 Governor after submission to him by the secretary. Amendments to the pay
3 plan may be made in the same manner. Each employee shall be paid at one (1)
4 of the rates set forth in the pay plan for the position in which he is employed;
- 5 (c) For transfer from a position in one (1) department to a similar position in
6 another department involving similar qualifications, duties, responsibilities,
7 and salary ranges;
- 8 (d) For annual, sick, and special leaves of absence, with or without pay, or
9 reduced pay, after approval by the Governor as provided in subsection (1) of
10 this section;
- 11 (e) For the development and operation of programs to improve the work
12 effectiveness and morale of employees in the unclassified service, including
13 training, safety, health, welfare, counseling, recreation, and employee
14 relations; and
- 15 (f) For such other rules and administrative regulations not inconsistent with KRS
16 18A.005 to 18A.200, as may be proper and necessary for its enforcement.
- 17 (2) Nothing herein shall be construed to preclude the optional use of administrative
18 regulations promulgated under this section on behalf of employees enumerated in
19 KRS 18A.115(1)(a), (b), (d), (e), (p), (u), and (w) and on behalf of members of state
20 boards and commissions who work on a full-time, salaried basis.
- 21 (3) Months of service earned as a contract employee of the Kentucky Department of
22 Education shall be recognized and credited as service credit for calculating years of
23 service in any public agency position held subsequent to the employment by
24 contract. The provisions of this subsection are retroactive for employees hired in a
25 public agency position on or after January 1, 1997.
- 26 **(4) Employees of the executive branch enumerated in KRS 18A.115(1)(d), (e), (g),**
27 **(h), (i), and (k):**

- 1 (a) Shall not exceed five hundred (500) in total number; and
- 2 (b) Shall not receive salaries higher than eighty five thousand dollars
- 3 (\$85,000), unless approved by the General Assembly.