

18A.111 Probationary periods for classified service -- Initial and promotional -- Probation and preference provisions for appointments prior to a gubernatorial inauguration.

- (1) Except when appointed to a job classification with an initial probationary period in excess of six (6) months, and except as provided in KRS 18A.005 and this section, an employee shall serve a six (6) months probationary period when he or she is initially appointed to the classified service. An employee may be separated from his or her position, reduced in class or rank, or replaced on the eligible list during this initial probationary period and shall not have a right to appeal, except as provided by KRS 18A.095. The employee may be placed on an eligible list but shall not be certified to the agency from which he or she was separated unless that agency so requests. Unless the appointing authority notifies the employee prior to the end of the initial probationary period that he or she is separated, the employee shall be deemed to have served satisfactorily and shall acquire status in the classified service.
- (2) An employee who satisfactorily completes the initial probationary period for the position to which he or she was initially appointed to the classified service shall be granted status and may not be demoted, disciplined, dismissed, or otherwise penalized, except as provided by the provisions of this chapter.
- (3) An employee ordered reinstated by the board shall not be required to serve a probationary period unless the board rules otherwise.
- (4) An employee with status, who has been promoted, shall serve a promotional probationary period of six (6) months, except for those employees granted leave in excess of twenty (20) consecutive work days during this period. Such probationary periods shall be extended as prescribed in KRS 18A.005. During this period, he or she shall retain the rights and privileges granted by the provisions of this chapter to status employees.
- (5) An employee with status may request that he or she be reverted to a position in his or her former class at any time during the promotional probationary period.
- (6) A laid-off employee who accepts a bona fide written offer of appointment to a position shall not be required to serve an initial probationary period. He or she shall be an employee with status and shall have all rights and privileges granted employees with status under the provisions of this chapter.
- (7) At any time in the eighteen (18) months prior to a gubernatorial inauguration, a person who is appointed to a position in the classified service and who previously held a position that was unclassified under KRS 18A.115(1) shall:
 - (a) Be required to serve an initial probationary period of twenty-four (24) months regardless of whether he or she previously had status in the classified service; and
 - (b) Not be entitled to any preference in hiring or reemployment, notwithstanding KRS 18A.130 and 18A.135.
- (8) Notification to an employee on initial or promotional probation of the reason the probationary employment has been terminated by the appointing authority shall not confer a right to appeal to the board.

Effective: July 15, 2026

History: Amended 2026 Ky. Acts ch. 178, sec. 4, effective July 15, 2026. -- Amended 2010 Ky. Acts ch. 153, sec. 9, effective April 13, 2010. -- Amended 2002 Ky. Acts ch. 122, sec. 3, effective July 15, 2002. -- Amended 1998 Ky. Acts ch. 154, sec. 26, effective July 15, 1998. -- Amended 1988 Ky. Acts ch. 203, sec. 4, effective July 15, 1988. -- Created 1986 Ky. Acts ch. 494, sec. 2, effective July 15, 1986.

Legislative Research Commission Note (7/15/2026). 2026 Ky. Acts ch. 178, sec. 4, which amended this statute, contains a reference to a "position that was unclassified under subsection (1) of Section 4 of this Act," though subsection (1) of Section 5 of that Act [KRS 18A.115] is the section of the Act that lists positions that are unclassified. This manifest clerical or typographical error has been corrected in codification under KRS 7.136.