

780 KAR 3:065. Certified and equivalent service administrative regulations.

RELATES TO: KRS 151B.035

STATUTORY AUTHORITY: KRS 151B.035

NECESSITY, FUNCTION, AND CONFORMITY: KRS 151B.035(3)(k) requires the Executive Director of the Office of Career and Technical Education to promulgate administrative regulations governing programs to improve the work effectiveness of employees. KRS 151B.035(6)(h) requires the executive director to promulgate administrative regulations necessary to enforce KRS Chapter 151B. This administrative regulation establishes requirements relating to requirements for certified and equivalent staff in the Office of Career and Technical Education.

Section 1. Workplace Violence Policy.

(1) Workplace violence shall be prohibited and include:

- (a) The attempted, threatened or actual conduct of a person who endangers or is likely to endanger the health and safety of state employees or the general public; or
- (b) A threatening statement, harassment or behavior that gives a state employee or member of the general public reasonable cause to believe that his health or safety is at risk.

(2) Examples of prohibited workplace violence shall include:

- (a) Threats of harm;
- (b) Brandishing or displaying a weapon or an object that resembles a weapon in a manner which would present a safety risk to a state employee or a member of the general public or threatens or intimidates them;
- (c) Intimidating, threatening, or directing abusive language toward another person, either verbally, in writing or by gesture;
- (d) Stalking as defined by KRS 508.130;
- (e) Striking, slapping or otherwise physically attacking another person; or
- (f) Disobeying or failing to follow the reasonable directive of a supervisor to take action or cease actions which create a risk to the health or safety of a state employee or a member of the general public, or threatens or intimidates a state employee or a member of the general public.

(3) Violation of this section shall constitute grounds for disciplinary action and referral for criminal prosecution.

Section 2. Kentucky Employee Assistance Program (KEAP). A certified or equivalent employee covered by KRS Chapter 151B may participate in the Kentucky Employee Assistance Program as established in 101 KAR 2:160.

Section 3. Issuance of Paychecks to State Employees.

- (1) Except as provided in subsection (2) or (3) of this section a paycheck shall be issued to a state employee on the 15th and 30th day of each month.
- (2) If the regularly scheduled pay date falls on a weekend, a paycheck shall be issued on the preceding Friday.
- (3) If the regularly scheduled pay date falls on a state designated holiday, a paycheck shall be issued on the workday preceding the holiday.

Section 4. Workers' Compensation Fund and Program. Certified and equivalent employees shall be covered under the Self-insured Workers' Compensation Fund and Program established by KRS 18A.375 and 101 KAR 2:140.

(26 Ky.R. 2150; 27 Ky.R. 101; eff. 7-17-2000; 35 Ky.R. 1857; 2229; eff. 5-1-2009; Crt eff. 11-16-2018.)