

1 AN ACT relating to state employee pay equity.

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

3 ➔Section 1. KRS 7.100 is amended to read as follows:

4 It shall be the duty of the Legislative Research Commission to:

- 5 (1) Maintain in the State Capitol or State Capitol Annex for the use and information of
6 the General Assembly, a legislative reference room and working library; collect,
7 summarize, and index information of a legislative and governmental nature relating
8 to legislation and legislative policies and index all bills introduced in the General
9 Assembly. Permanent office space for the Legislative Research Commission and for
10 the director thereof and employees or subcommittees shall be provided on the third
11 floor of the State Capitol. When the General Assembly is not in session, the
12 Commission shall have jurisdiction over the use of the House and Senate chambers
13 and over the allocation of all rooms used by the General Assembly while in session.
14 The Commission may provide for such other office space as it may deem necessary.
- 15 (2) Make or cause to be made such investigations into statute law, legislation,
16 governmental agencies and institutions, and matters of public policy as will aid the
17 General Assembly in performing its duties in the most efficient and economical
18 manner. In making such studies and investigations between the regular sessions of
19 the General Assembly, the Commission shall give priority to those subjects
20 requested by the General Assembly. The Commission shall promptly consider any
21 requests of the General Assembly by bill or resolution for the creation of task
22 forces, committees, subcommittees, or other entities for the purpose of studying or
23 reviewing issues or subjects. Provisions of the bill or resolution to the contrary
24 notwithstanding, the Commission, in its sole discretion, may grant or deny the
25 request to create an entity or alternatively assign the subject matter of the proposed
26 study or review to an existing committee or task force, including interim joint
27 subcommittees of the Commission.

- 1 (3) Afford to any member of the General Assembly or any committee of either house of
2 the General Assembly such information and assistance as may be practicable in the
3 preparation of bills, memorials, resolutions, amendments, alterations and changes
4 thereto, and revisions and substitutes thereof, proposed to be introduced into the
5 General Assembly.
- 6 (4) The Commission, at the close of each legislative session, shall assume custody of
7 all furniture, equipment, records, materials and supplies, and printed copies of bills
8 in the possession of the clerks of the Senate and House. Immediately prior to the
9 convening of the next session, the Commission shall transfer all furniture,
10 equipment, materials, and supplies to the clerks of the respective houses. The
11 Commission may, when the General Assembly is not in session, authorize the
12 expenditure of funds appropriated to the General Assembly for the purchase, repair,
13 or maintenance of furniture, equipment, materials, and supplies and contract for
14 services needed by the General Assembly.
- 15 (5) The Commission shall prepare and publish or contract for the preparation and
16 publishing of a daily index and digest of the content of and legislative action on all
17 measures introduced in the General Assembly.
- 18 (6) After each election the Commission shall conduct a pre-session orientation
19 conference for members of the General Assembly.
- 20 (7) The Commission shall notify the members of the General Assembly of the reports
21 filed with the Commission for distribution to the members of the General Assembly
22 and of the reports and publications of the Commission which are available for the
23 members of the General Assembly. Each member of the General Assembly shall
24 indicate upon a form provided by the Commission which reports shall be forwarded
25 to the member.
- 26 (8) Conduct, while the General Assembly is not in session, any and all business of the
27 legislative department of government, except for the passage of legislation, which

1 could be conducted by the legislative department of government or the General
2 Assembly if the General Assembly were in session.

3 (9) Conduct such other business and possess such other powers and duties as may be
4 assigned or authorized by the General Assembly by statute or otherwise.

5 **(10) Report by August 1 of each year to the secretary of the Personnel Cabinet, in a**
6 **format chosen by the secretary for compilation into a statewide gender equality**
7 **report described in subsection (10) of Section 2 of this Act:**

8 **(a) A list of each permanent, full-time employee of the Commission and the**
9 **employee's gender, job title, years of experience with state government, and**
10 **salary; and**

11 **(b) The distribution of permanent, full-time employees of the Commission by**
12 **gender and salary across each job title and education.**

13 ➔Section 2. KRS 18A.030 is amended to read as follows:

14 (1) The secretary shall be the executive and administrative head of the cabinet and shall
15 supervise and control all examinations and work of the cabinet. He shall advise the
16 board on matters pertaining to the classified service of this state. Within the
17 limitations of the budget, the secretary shall appoint and supervise the staff needed
18 in the cabinet to carry out the purposes of KRS 18A.005 to 18A.200 except
19 employees of the board who shall be appointed as provided in KRS 18A.090.

20 (2) Subject to the provisions of this chapter and KRS Chapter 13A, the secretary shall,
21 with the aid of his staff:

22 (a) Attend all meetings of the board;

23 (b) As provided by this chapter, promulgate comprehensive administrative
24 regulations consistent with the provisions of KRS Chapters 13A and 18A, and
25 with federal standards for the administration of a personnel system in the
26 agencies of the state government receiving federal grants;

27 (c) Establish general procedures for personnel recruitment, for certification, and

- 1 for improving the efficiency of employed personnel;
- 2 (d) Appoint the examiners and technicians necessary for the conduct of the
3 personnel program, whether on a permanent or temporary basis;
- 4 (e) Prepare and maintain a record of all employees, showing for each employee
5 his name, address, title of position held, rate of compensation, changes in
6 status, compensation, or title, transfer, and to make the data and the class
7 specifications for all positions available to the press and public;
- 8 (f) Prepare, in accordance with the provisions of KRS 18A.005 to 18A.200 and
9 the administrative regulations adopted thereunder, examinations, eligible lists,
10 and ratings of candidates for appointment;
- 11 (g) Make certification for appointment or promotion within the classified service,
12 in accordance with the provisions of KRS 18A.005 to 18A.200;
- 13 (h) Make investigations concerning all matters touching the enforcement and
14 effect of the provisions of KRS 18A.005 to 18A.200 and administrative
15 regulations prescribed thereunder;
- 16 (i) Prepare, in cooperation with appointing authorities and others, programs for
17 employee training, safety, morale, work motivation, health, counseling, and
18 welfare, and exercise leadership in the development of effective personnel
19 administration within the several departments of the Commonwealth, and
20 make available the facilities of the department to this end;
- 21 (j) Provide personnel services to unclassified employees in agreement with the
22 agencies involved not otherwise provided for in KRS 18A.005 to 18A.200;
- 23 (k) Present, in accordance with the provisions of KRS Chapter 48, budget
24 requests for the support of the personnel system created by KRS 18A.005 to
25 18A.200, excluding the board, which shall present its own budget estimates;
- 26 (l) Make a report and submit the same to the board, the Legislative Research
27 Commission, and the Governor not later than October first of each year;

- 1 (m) Propose selection method changes for any classification to the Personnel
2 Board with documentation justifying the need for the selection method
3 change. The Personnel Board shall, at its next regularly scheduled monthly
4 meeting, review and comment on any proposed selection method change. A
5 classification shall not have its selection method changed without review and
6 comment by the Personnel Board; and
- 7 (n) Discharge the other duties imposed upon him by KRS 18A.005 to 18A.200.
- 8 (3) The secretary on behalf of the cabinet may join or subscribe to any association or
9 service having as its purpose the interchange of information relating to the
10 improvement of the public service and especially improvement of personnel
11 administration.
- 12 (4) The secretary shall keep records relative to employee turnover and report to the
13 board, the Governor, and the Legislative Research Commission quarterly. The
14 report shall reflect employee turnover rates by cabinet, department, bureau, division,
15 and section. If any cabinet, department, bureau, division, or section has a turnover
16 rate of fifteen percent (15%) or more in any twelve (12) month period, the secretary
17 shall conduct an investigation into the reasons for the turnover and report the
18 findings to the board, the Governor, and the Legislative Research Commission.
- 19 (5) The secretary shall provide to each new state employee and to each existing state
20 employee, classified or otherwise, on an annual basis an informational pamphlet
21 about human immunodeficiency virus infection and acquired immunodeficiency
22 syndrome. The pamphlet shall be approved by the Cabinet for Health and Family
23 Services and shall contain information about the nature and extent of these diseases,
24 methods of transmission, preventive measures, and referral services.
- 25 (6) The secretary shall establish and maintain a list of all filled positions exempted
26 from classified service under KRS 18A.115(1) (e), (g), (h), (i), (k), (t), (w), (aa), and
27 (ab). The list shall include the following information for each filled position:

- 1 (a) The name of the agency where the position is assigned;
- 2 (b) The statutory authority for the unclassified status of the position;
- 3 (c) The title of the position;
- 4 (d) The pay grade of the position;
- 5 (e) The annual salary of the employee in the position; and
- 6 (f) The work county of the employee in the position.
- 7 (7) Beginning September 1, 2010, and every six (6) months thereafter, the secretary
- 8 shall provide the Governor and the Legislative Research Commission with a copy
- 9 of the list described in subsection (6) of this section, and shall indicate on the list
- 10 any position that has been added to the list since the last submission.
- 11 (8) The secretary shall perform organizational analysis and review.
- 12 **(9) The secretary shall compile by August 1 of each year:**
- 13 **(a) A list of each permanent, full-time employee of the executive branch and**
- 14 **the employee's gender, job title, years of experience with state government,**
- 15 **and salary; and**
- 16 **(b) The distribution of the permanent, full-time employees by gender and salary**
- 17 **across each job title and education.**
- 18 **(10) Using the information obtained under subsection (10) of Section 1 of this Act and**
- 19 **subsection (9) of this section, the secretary shall compile a report on the executive**
- 20 **and legislative branches of state government by December 1 of each year showing**
- 21 **a calculation of:**
- 22 **(a) The overall state employee gender pay gap;**
- 23 **(b) The overall gender pay gap for the legislative and executive branches of**
- 24 **government;**
- 25 **(c) The gender pay gap for each level of education; and**
- 26 **(d) The gender pay gap for each job title.**
- 27 **(11) The secretary shall transmit the report described in subsection (10) of this section**

1 *to the Legislative Research Commission upon completion.*