

780 KAR 6:080. Employee actions.

RELATES TO: KRS 12.050, 151B.035, 151B.085

STATUTORY AUTHORITY: KRS 151B.035(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 151B.035(1) requires the executive director of the Office of Career and Technical Education to promulgate administrative regulations establishing personnel policies and procedures for all full-time and part-time unclassified employees, certified and equivalent staff, including administrative, teaching, and supervisory staff in the Office of Career and Technical Education central office and state operated vocational facilities. This administrative regulation establishes the method for determining an employee's work station and the requirements governing employee actions.

Section 1. Definition. "Work station" means the:

- (1)
 - (a) Official work station of an employee assigned to an office; and
 - (b) Street address where the office is located; or
- (2)
 - (a) Official work station of a field employee; and
 - (b) Street address to which the employee is assigned upon appointment to the employee's position.

Section 2. Employee Work Stations.

- (1) Each employee shall be assigned to a work station by the appointing authority or designee.
- (2)
 - (a) A work station may be changed to better meet the needs of the agency.
 - (b) An employee may be temporarily assigned to a different work station in a different county for a period of up to sixty (60) calendar days, provided that the employee is reimbursed for travel expenses, in accordance with 200 KAR 2:006, and the appointing authority or designee notifies the employee in writing prior to the effective date of the action.
 - (c) The appointing authority or designee may assign an employee to work in a different site within the county of employment.

Section 3. Promotion.

- (1) A vacancy may be filled by promotion if practical and in the best interest of the service.
- (2)
 - (a) A continuing status employee promoted from the certified and equivalent personnel system shall retain status in the certified and equivalent system.
 - (b)
 1. If upon reversion a vacancy does not exist in the position of the former class, then status pertaining to layoff shall apply.
 2. The employee shall be considered for employment in any vacant position for which the employee is qualified pursuant to KRS 151B.085(3).

Section 4. Demotion.

- (1)
 - (a) An employee may request a voluntary demotion in writing from the appointing authority or designee.
 - (b) A copy of the request shall be placed in the employee's official file.
- (2) The executive director may make an involuntary demotion if necessary to further the best interest of the department.

Section 5. Transfer.

- (1) An employee appointed in accordance with KRS 12.050 shall not be transferred.
- (2) Any other employee in the unclassified service may be transferred from one (1) position to another in the unclassified service by the appointing authority or designee with written notice.
- (3)
 - (a) If the transfer is on an involuntary basis, the employee shall receive notice of the transfer.
 - (b) Following notification of an involuntary transfer, an employee shall report for work at the work station to which transferred on the effective date of the transfer.
 - (c) The notice shall be in writing, shall state the effective date of the transfer, the reason for the employee's selection for transfer, and the employee's obligation to report to the new work station.

Section 6. Resignations.

- (1) An employee who desires to terminate service with the state shall submit a written resignation to the appointing authority or designee.
- (2) A resignation shall be submitted at least fourteen (14) calendar days before the final working day.
- (3) A copy of an employee's resignation shall be attached to the advice effecting the separation and be filed in the employee's service record in the department.
- (4) Failure to give fourteen (14) calendar days' notice with a resignation shall result in forfeiture of accrued annual leave.

Section 7. Temporary Overlap. The appointing authority or designee for training purposes may place an employee in a position currently occupied by another employee for a period not to exceed sixty (60) calendar days.

Section 8. If an employee voluntarily retires, the employee shall be considered as separated without prejudice.

(17 Ky.R. 1286; eff. 12-9-1990; 35 Ky.R. 1898; 2249; eff. 5-1-2009; Crt eff. 11-16-2018.)