

 <p style="text-align: center;"><b>KENTUCKY CORRECTIONS</b> Policies and Procedures</p>	Policy Number	Total Pages
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Authority/References	Subject	
<p>KRS Chapter 18A; KRS 61.884; 101 KAR Chapters 1, 2, 3; 200 KAR Chapter 2; CPP 3.4 ACA 2-CO-1C-01, 2-CO-1C-02, 1C-03, 2-CO-1C-06, 2-CO-1C-07, 2-CO-1C-08, 2-CO-1C-10, 2-CO-1C-13, 2-CO-1C-15, 2-CO-1C-16, 2-CO-1C-23, 2-CO-1C-25</p>	<p><b>PERSONNEL MANAGEMENT</b></p>	

## I. DEFINITIONS

“Employee” means a person regularly appointed to a position in the state service for which he is compensated on a full-time, part-time, or interim basis

“Professional specialist” means a Department of Corrections employee, contract worker, or volunteer, who provides specialist services for the Department of Corrections that require a license, certification, or specific credentials from a state agency or professional organization. Examples of professional specialist include, but are not limited to: teachers, nurses, physicians, psychologists, and clergy.

## II. POLICY and PROCEDURES

A. The Personnel Cabinet is charged by KRS 18A.025 with the general responsibility and authority for all personnel matters for all state agencies with a provision allowing authority to other state agencies. The overall responsibility for personnel matters in the Department of Corrections has been assigned to the Division of Personnel.

B. Responsibilities of the Division of Personnel:

1. Enforcement of Kentucky Administrative Regulations, Kentucky Revised Statutes and Corrections Policies and Procedures
2. Acting as the Department of Corrections liaison with the Personnel Cabinet
3. Advising and assisting administrative, supervisory and agency field staff on issues involving personnel matters.
4. Conducts annual assessment of agency personnel needs and assignments and makes recommendations to agency executive staff
5. Conducts annual review of job descriptions and job qualifications and makes revision recommendations to the Personnel Cabinet.

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- C. All personnel actions for the Department of Corrections employees, to include but not limited to, selection, appointment, probationary periods, promotion, disciplinary actions shall be in compliance with KRS Chapter 18A; 101 KAR Chapter 1 Personnel Board Regulations; 101 KAR Chapter 2 Personnel Cabinet, Classified Regulations; and 101 KAR Chapter 3 Personnel Cabinet, Unclassified Regulations.
1. A copy of the above referenced personnel regulations shall be maintained in each Department of Corrections institution and all offices in a location accessible for review and reference by employees.
  2. All personnel are selected, retained and promoted on the basis of merit and specified qualifications from within the agency and from outside sources within the guidelines of the personnel regulations.
  3. Employment of ex-offenders shall be within existing personnel regulations; however is not categorically excluded.
  4. Employees with the required education, experience and background are eligible for consideration for promotional opportunities within the guidelines of the personnel regulations.
  5. New employees or employees who have been promoted, under KRS Chapter 18A, shall serve a probationary period in accordance with 101 KAR 1:325, subject to the limitations of KRS 18A.111.
  6. As established in the personnel regulations, involuntary termination or demotion after a probationary period is permitted only for cause. These actions can be appealed to the Personnel Board and are subject to a formal hearing conducted by an appointed representative of the Personnel Board.
- D. Education and experience qualifications for each position utilized by the Department of Corrections are established by the Personnel Cabinet in the Classification Specification.
1. Classification Specifications for each position utilized by the Department of Corrections can be found on the Personnel Cabinet website at <http://personnel.ky.gov>
  2. Classification Specifications outline experience and education substitutions for position qualifications.
- E. Except in times of hiring freezes as mandated by the Executive or Legislative branches of government, the overall vacancy rate among staff positions authorized to work directly with offenders shall not exceed ten (10) percent for any eighteen (18) month period.
- F. Compensation and benefit levels for all personnel are set by the Personnel Cabinet and are comparable to those for similar occupational groups in the state or region.
- G. All supervisors shall ensure that each employee within their supervision receives a copy of the employee handbook.

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1. Each employee shall sign an acknowledgement that he/she has received the Employee Handbook, has access to a copy of the Department of Corrections Policies and Procedures Manual and all applicable personnel regulations and statutes, and is responsible for the knowledge of its contents. This acknowledgement shall be sent to the Department of Corrections Division of Personnel and a copy maintained on file at the facility for as long as the employee remains employed by the Department of Corrections.
  2. The information provided to employees shall include, but is not limited to: work rules; regulations; conditions of employment; the Executive Branch Code of Ethics; organizational chart; staff development; available employee programs; recruitment and selection; promotion; position qualifications and descriptions; Affirmative Action; classification plan; Equal Employment Opportunity (EEO); sexual harassment; grievance and appeal procedures; employee performance evaluations; employee benefits; holidays; leave procedures; work schedules; probationary periods; compensation; travel; disciplinary procedures; termination; resignation; the Kentucky Employee Assistance Program (KEAP); conflicts of interest; and legal assistance.
- H. Employee orientation to the performance evaluation system shall be completed prior to January 1 of the employee's initial performance evaluation period. The Employee Orientation Acknowledgement Form, signed by the employee shall serve as proof of orientation to the system. See 101 KAR 2:180 Section 1(9). The performance evaluation system provides for an annual written performance review of each employee that is based on defined criteria and the results are discussed with the employee on an annual basis.
- I. Assignment of the employee's work station and hours of work shall be in accordance with 101 KAR 2:095, 101 KAR 2:076, and 101 KAR 1:335. Pursuant to 101 KAR 2:095(3), mechanisms exist for provisional appointments to ensure that short term personnel, both full-time and part-time, can be available during emergencies. Subject to personnel regulations, an employee workstation may be changed or temporarily reassigned to better meet the needs of the agency or to provide relief in an emergency situation.
- J. Employees shall inform their supervisor of any changes in address or telephone number as soon as possible. Employees shall also make appropriate changes using the Employee Self Service Portal or notify their assigned Human Resources liaison.
- K. A position description shall be provided to each employee detailing the duties and responsibilities assigned to the position. The position description shall be reviewed and signed by the employee and the supervisor prior to the employee beginning service.

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- L. A current, accurate, and confidential personnel record shall be maintained on each employee. Employees may request to review their personnel record.
1. The employee's official personnel file, which is maintained by the Personnel Cabinet, may be inspected and copied after a written request is made under KRS 18A.020.
  2. The agency personnel file, which is maintained by the Director of the Department of Corrections, Division of Personnel, may be inspected and copied upon arrangement with the Director.
  3. Other written information pertaining to the employee may be inspected and copied upon written request to the proper custodian under KRS 61.884.
  4. Upon review of a personnel record, an employee may challenge the information contained therein. Challenges to correct or remove information contained within the personnel file may be presented by the employee in accordance with established grievance, or if applicable, personnel board appeal procedures.
  5. Information obtained as part of a required medical examination or inquiry regarding the medical condition or history of applicants and employees is maintained in separate medical files and is treated as a confidential medical record.
- M. All professional specialists shall be qualified in their respective field as required by the Personnel Cabinet Classification Specification. Professional specialists shall, on an ongoing basis, provide a copy of current licenses and credentials to their immediate supervisor. This shall be done immediately after a renewal of licensure or credential, and the supervisor shall ensure that the information is maintained in that individual's personnel file and that a copy is provided to the Department of Corrections, Division of Personnel. Professional specialists shall also notify their supervisor immediately if their licensure or certification is under investigation, suspended or revoked.
- N. A grievance may be filed by an employee of the merit system who believes that he/she has been subjected to unfair or unjust treatment concerning conditions of employment over which the Department of Corrections has control; which has occurred, or of which the employee has become aware, through the exercise of due diligence, within 30 days prior to filing.
1. Grievances shall be filed and processed in accordance with 101 KAR 1:375.
  2. Grievances shall be submitted on official grievance form. Supervisors are responsible for maintaining blank copies of grievance forms in an area easily accessible to staff that do not have internet access and for notifying the staff of the form location on an annual basis.
  3. The Department of Corrections grievance recipient is responsible for handling the grievance in accordance with the instructions provided on the grievance form.

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- a. The receiving staff is also responsible for sending a copy of the grievance form as it is received to the Department of Corrections, Division of Personnel.
  - b. If the grievance is resolved at any level below the Appointing Authority, it is the responsibility of the supervisor involved in the resolution to provide a copy of the resolution to the Department of Corrections, Division of Personnel.
  - c. Grievance forms shall be mailed to the Department of Corrections, Division of Personnel at P.O. Box 2400, Frankfort, KY 40602.
  - 4. If a grievance is filed that alleges discrimination on the basis of race, color, religion, national origin, sex, disability, or age 40 (forty) or over, the recipient of this grievance shall immediately notify the Department EEO coordinator in accordance with CPP 3.4.
  - 5. The Division of Personnel can be contacted for technical assistance regarding the filing of grievances or grievance appeals.
- O. Each employee shall be reimbursed for all approved expenses occurring in the performance of duties in accordance with the provision of 200 KAR Chapter 2. The Fiscal Branch shall have responsibility for the implementation of reimbursement procedures within the Department of Corrections.
- P. Pursuant to 101 KAR 2:102, employees may be placed on special leave with pay for investigative purposes pending an investigation of an allegation of employee misconduct.
- 1. If an employee is placed on special investigative leave, the Division of Personnel shall prepare a notification letter to the employee informing him of placement on special investigative leave, along with any agency requirements for the employee.
  - 2. Notification letters prepared under this section shall be hand delivered or mailed via certified mail to the employee by the appropriate designated appointing authority.
  - 3. If necessary, another supervisory employee that is at a higher job classification than the employee receiving the letter may be present to witness receipt of the letter.
  - 4. It is the responsibility of the supervisory staff delivering the notification letter to verbally explain the contents of the letter to the employee being placed on leave and to answer any questions the employee may have.
- Q. All Department of Corrections employees and their dependents are eligible for services through the Kentucky Employee Assistance Program (KEAP) in accordance with 101 KAR 2:160.
- 1. A supervisor may extend to an employee an offer of assistance through KEAP if the employee's job behavior or job performance is unacceptable or deteriorating.
  - 2. There is no charge for information and referral services offered by KEAP.

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3. All contact with KEAP shall be voluntary and strictly confidential as permitted by State and Federal law.