

### **151B.010 Definitions for chapter.**

As used in this chapter, unless the context indicates otherwise:

- (1) "Appointing authority" means the commissioner for the Department of Workforce Investment or any person authorized by the commissioner to act on behalf of the Office of Career and Technical Education with respect to employee appointments, position establishments, payroll documents, reemployment lists, waiver requests, or other position actions. The designation shall be in writing and signed by both the commissioner and the designee;
- (2) "Base salary" means the compensation to which an employee is entitled under the salary schedule adopted pursuant to the provisions of KRS 151B.035(3)(h);
- (3) "Board" means the Kentucky Technical Education Personnel Board established in KRS 151B.097;
- (4) "Certified employees" means those employees who fill school or educational assignments requiring the issuance of a certificate. These employees in the Office of Career and Technical Education are subject to personnel administration under this chapter;
- (5) "Class" means a group of positions sufficiently similar as to the duties performed, scope of discretion and responsibility, minimum requirements of training, and other characteristics that the same title and the same schedule of compensation have been or may be applied to each position in the group;
- (6) "Classified" means status as merit system employees under the provisions of KRS Chapter 18A;
- (7) "Continuing status" means the acquisition of tenure with all rights and privileges granted by the provisions of this chapter which must be preceded by four (4) years of successful employment;
- (8) "Demotion" means a change in an employee's position to another class having less discretion or responsibility;
- (9) "Emergency appointment" means employment for a maximum period of sixty (60) days without regard to the certification process for any position in the Office of Career and Technical Education requiring certification or its equivalent;
- (10) "Employee" means a person regularly employed in a position in the Office of Career and Technical Education for which compensation is on a full-time or part-time basis;
- (11) "Equivalent employees" means those employees with educational backgrounds similar to certified personnel in the administration and conduct of educationally related services. These employees in the Office of Career and Technical Education shall be subject to personnel administration under this chapter;
- (12) "Hearing officer" means a member of the board, a person hired for this purpose by personal service contract, or an assistant attorney general;
- (13) "Index" means the percentage add-on in a salary structure which compensates for the scope of discretion and responsibility of the position;
- (14) "Initial probation" means the one (1) year period following initial appointment of

certified and equivalent employees under KRS 151B.070 which requires special observation and evaluation of a person's work and which must be passed successfully before eligibility for renewal of limited status;

- (15) "Limited status" means employment that is renewable on an annual basis;
- (16) "Penalization" means actions including demotion, dismissal, suspension, involuntary transfer, reduction in rank or pay, or the abridgement or denial of rights granted to state employees or other disciplinary actions;
- (17) "Position" means employment involving duties requiring the services of one (1) person;
- (18) "Promotion" means changing an employee from a position in one (1) class to a position in another class carrying a greater scope of discretion and responsibility;
- (19) "Promotional probation" means the twelve (12) month period of service following the promotion of an employee with continuing status which must be successfully completed in order for the employee to remain in the position;
- (20) "Reemployment" means the rehiring of an employee with continuing status who has been laid-off;
- (21) "Reemployment list" means the separate list of names of persons who have been separated from certified or equivalent positions in the Office of Career and Technical Education by reason of lay-off. Reemployment lists shall be used as provided by the provisions of KRS 151B.080;
- (22) "Reinstatement" means the restoration of a certified or equivalent employee who has resigned in good standing or who has been ordered reinstated by the board or a court to a position in the former class or to a position of like status and pay;
- (23) "Seasonal employees" means employees employed in a seasonal position. Seasonal position means a position that is temporary, and which coincides with a particular season or seasons of the year;
- (24) "Temporary employee" means an employee appointed to a temporary position. Temporary position means a position that is created for a definite period of time;
- (25) "Transfer" means a movement of any certified or equivalent employee from one (1) position to another having the same salary range and the same level of responsibility; and
- (26) "Unclassified employee" means any temporary or seasonal employee and any employee in a policymaking position who shall be exempt from the state service under KRS Chapter 18A and who is employed in the Office of Career and Technical Education under this chapter.

**Effective:** July 12, 2006

**History:** Amended 2006 Ky. Acts ch. 211, sec. 20, effective July 12, 2006. -- Amended 2003 Ky. Acts ch. 29, sec. 5, effective June 24, 2003. -- Amended 2000 Ky. Acts ch. 526, sec. 17, effective August 15, 2000. -- Amended 1994 Ky. Acts ch. 363, sec. 1, effective July 15, 1994; and ch. 469, sec. 5, effective July 15, 1994; -- Amended 1992 Ky. Acts ch. 417, sec. 2, effective July 14, 1992. -- Created 1990 Ky. Acts ch. 470, sec. 4, effective July 1, 1990.