

**18A.138 Affirmative action plan for state government.**

- (1) To ensure equal employment opportunity for all Kentuckians regardless of race, color, religion, national origin, disability, sex, or age, the affirmative action plan dated July 1, 1984, confirmed as part of Executive Order 84-549 continued in force by Executive Order 88-100, and incorporated herein by reference, shall be the official affirmative action plan for Kentucky state government. Copies of the plan, as well as the plans developed by individual agencies pursuant to the state plan, shall be maintained on file and made available for inspection in the Office of the Secretary of Personnel.
- (2) Every program cabinet, department, and agency of state government shall comply with the provisions of the affirmative action plan.
- (3) Equal employment opportunities shall be an integral part of each cabinet, department, and agency program, and any program evaluation shall include an assessment of equal opportunity performance.
- (4) The secretary of personnel shall be responsible for the implementation of the plan. In fulfilling his duties, he shall:
  - (a) Require all cabinets, departments, and agencies of state government to develop programs consistent with the plan;
  - (b) Provide any technical assistance he may deem appropriate to accomplish the purposes of the plan;
  - (c) Provide, through the Personnel Cabinet, an annual analysis to ensure that persons protected by antidiscrimination laws are not adversely affected by examination and selection procedures;
  - (d) Provide for validation of examination procedures;
  - (e) Provide for procedures to monitor appointments and salary adjustments to ensure that standards are uniformly applied so as to prevent salary disparity;
  - (f) Report to the Governor semiannually on actions taken pursuant to the plan; and
  - (g) Review the plan on an annual basis and recommend necessary changes in consultation with the appropriate agencies.
- (5) The secretary of personnel may also:
  - (a) Promulgate administrative regulations in accordance with this chapter and KRS Chapter 13A to implement the affirmative action plan;
  - (b) Implement programs to ensure that reasonable accommodations exist for persons with disabilities to allow them better access to all employment opportunities in state government; and
  - (c) Appoint an affirmative action advisory committee to assist him in implementation of the affirmative action plan.

**Effective:** July 15, 1998

**History:** Amended 1998 Ky. Acts ch. 154, sec. 34, effective July 15, 1998. -- Amended 1994 Ky. Acts ch. 405, sec. 5, effective July 15, 1994. -- Amended 1990 Ky. Acts ch. 309, sec. 2, effective July 13, 1990. -- Created 1988 Ky. Acts ch. 127, sec. 1,

effective July 15, 1988.

**2020-2022 Budget Reference.** See State/Executive Branch Budget, 2020 Ky. Acts ch. 92, Pt. I, C, 2, (1) at 869.