

**18A.175 Evaluation of duties of division directors or heads -- Procedure when duties have become policy making.**

The responsible departmental, board, commission or agency head shall periodically evaluate the duties of those division directors or heads placed under the classified service pursuant to the provisions of KRS 18A.170, and shall determine whether the duties of such directors or heads have become policy making in their nature. If it is determined that the duties of such directors and heads are policy making, the responsible agency head shall certify that fact to the board. At the time of certification, notice thereof shall be given to the interested division director or head in a form of a copy of the statement certifying the policy making duties of his office. The board may conduct such hearings as it may deem necessary, and shall conduct hearings pursuant to the administrative provisions of KRS 18A.095 in the event of a difference of opinion between the certifying officer and the interested division director or head, before entering its findings of fact and an order either removing the position from the classified service or retaining it within the classified service. Either the certifying officer or the division director or head may appeal the findings of fact and the final order of the board by initiating action in the Franklin Circuit Court pursuant to the provisions of KRS Chapter 418.

**Effective:** July 15, 1982

**History:** Repealed, reenacted, and amended as KRS 18A.175, 1982 Ky. Acts ch. 448, sec. 35, effective July 15, 1982. -- Created 1976 Ky. Acts ch. 6, sec. 3, effective March 3, 1976.

**Formerly codified as** KRS 18.155.

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