



Andy Beshear
GOVERNOR

PERSONNEL CABINET

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Mary Elizabeth Bailey
SECRETARY

MEMORANDUM

PERSONNEL MEMO 25-04

To: Constitutional Officers
Cabinet Secretaries
Agency Heads
Human Resource (HR) Administrators

From: Mary Elizabeth Bailey, Secretary *MES*

Date: February 18, 2025

Re: **State of Emergency / Floods – FLSA Status**

To ensure consistency in our personnel policies, protocols, and HR applications across the enterprise, and as a follow-up to Governor Beshear’s Executive Order 2025-095, declaring a State of Emergency due to the severe weather event that began February 15, 2025, causing flooding and landslides impacting the Commonwealth, please be advised of the following:

FLSA Status

Appointing authorities may temporarily change the Fair Labor Standards Act (FLSA) status of non-policy making positions from “Exempt” to “Non-Exempt” status, if the majority of the job duties of the position are being performed in response to the State of Emergency.

This change may be effective retroactively to February 15, 2025 and shall remain in effect until rescission of this directive.

HR Administrators will be receiving detailed guidance for implementing these changes, following the distribution of this memo. If you have any questions, please contact Jamie Caldwell, Commissioner, Department of Human Resources Administration, at Jamie.Caldwell@ky.gov.

