



**Andy Beshear**  
GOVERNOR

## PERSONNEL CABINET

501 High Street, 3<sup>rd</sup> Floor  
Frankfort, Kentucky 40601  
Phone: (502) 564-7430  
Fax: (502) 564-7603

**Mary Elizabeth Bailey**  
SECRETARY

### MEMORANDUM

### PERSONNEL MEMO 25-06

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

**From:** Mary Elizabeth Bailey, Secretary *meb*

**Date:** April 9, 2025

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

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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 [2025-210](#), declaring a State of Emergency due to the severe weather that began April 2, 2025, causing flooding across 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 April 2, 2025 and may 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](mailto:Jamie.Caldwell@ky.gov).