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Mary Elizabeth Bailey
SECRETARY

MEMORANDUM

PERSONNEL MEMO 25-19

To: Constitutional Officers
Cabinet Secretaries
Agency Heads
Human Resource Administrators

From: Mary Elizabeth Bailey, Secretary

Date: November 10, 2025

Re: **Adverse Weather Leave**

It is the policy of state government that Executive Branch state offices remain open during inclement weather. Only the Governor has the authority to close an Executive Branch state office or send employees home early. Employees who are scheduled to work are, nevertheless, eligible to request Adverse Weather Leave to take time off during inclement weather.

The regulations pertaining to Adverse Weather Leave are 101 KAR 2:102, Section 12 (classified employees), and 101 KAR 3:015, Section 12 (unclassified employees). These regulations describe how to handle situations in which employees, come to work late, leave work early, or do not come to work at all because of adverse weather. The regulations provide as follows:

Absences Due to Adverse Weather:

- 1) With supervisor approval, an employee who is unable to report to work or chooses to leave early if there are adverse weather conditions, such as tornado, flood, blizzard, or ice storm, shall have the time of the absence reported as:
 - a) Charged to annual or compensatory leave;
 - b) Taken as leave without pay, if annual and compensatory leave has been exhausted; or
 - c) Charged to paid adverse weather leave in accordance with subsection (4) of this section.
- 2) An employee who is on prearranged annual, compensatory, or sick leave shall charge leave as originally requested.
- 3) An employee who is approved to telecommute shall not be eligible for adverse weather leave unless his or her telecommuting equipment is not operational or cannot be accessed during scheduled telecommuting hours due to adverse weather conditions.

- 4) An employee, including an employee in a mandatory operation, who has supervisor approval, shall be eligible to use paid adverse weather leave if:
 - a) The amount of adverse weather leave shall not exceed one (1) working day in a calendar year based on the employee's weekly work schedule;
 - b) The leave shall be used in increments of one-quarter (1/4) hours; and
 - c) The unused portion of the one (1) day allotment for paid adverse weather leave shall expire upon separation from employment or at the end of the calendar year, whichever comes first.
- 5) If catastrophic, life-threatening weather conditions occur, as created by a tornado, flood, ice storm, or blizzard, and it becomes necessary for authorities to order evacuation or shut-down of the place of employment, the provisions established in paragraphs (a) and (b) of this subsection shall apply.
 - a) An employee who is required to evacuate or who would report to a location that has been shut down shall not be required to make up the time that is lost from work during the period officially declared hazardous to life and safety.
 - b) An employee who is required to work in an emergency situation shall be compensated pursuant to the provisions of Section 6 of this administrative regulation and the Fair Labor Standards Act, 29 U.S.C. Chapter 8.

Questions concerning this matter should be directed to Jamie Caldwell, Commissioner, Department of Human Resources Administration at Jamie.Caldwell@ky.gov.