



Andy Beshear
GOVERNOR

PERSONNEL CABINET

501 High Street, 3rd Floor
Frankfort, Kentucky 406 01
Phone: (502) 564 -7430
Fax: (502) 564 -7603

Mary Elizabeth Bailey
SECRETARY

MEMORANDUM

PERSONNEL MEMO 26-05

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

From: Mary Elizabeth Bailey, Secretary

Date: March 11, 2026

Re: **State of Emergency / Severe Winter Storm –
FLSA Status and Disaster Services Volunteers (EXTENDED)**

On January 23, 2026, Governor Beshear issued Executive Order [\(EO\) 2026-047](#) declaring a State of Emergency due to a severe winter storm. In accordance with [KRS 39A.090\(2\)\(b\)](#), on February 20, 2026, Governor Beshear declared a continued State of Emergency by issuing [EO 2026-092](#) for the following localities, which expires July 15, 2026:

Barren County
Clay County
Cumberland County
Laurel County

Metcalf County
Monroe County
Pulaski County
Russell County

Lexington-Fayette Urban
County Government

As a result, the following guidance, initially provided in [PM 26-01](#), continues to apply through July 15, 2026, as it relates to the above localities:

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 beginning Sunday, January 25, 2026, and may remain in effect until July 15, 2026. (UPDATED)

HR Administrators will be receiving detailed guidance for implementing these changes, following the distribution of this memo.

Also, as a reminder, some employees who are assisting with disaster relief related to this event, may be eligible for paid leave while participating as a Disaster Service Volunteer in accordance with [KRS 61.395](#). Those employees who qualify and are approved to participate in disaster services should use time code **SPEC** for hours absent from work, not to exceed thirty (30) workdays in any twelve (12) month period.

If you have any questions, please contact Jamie Caldwell, Commissioner, Department of Human Resources Administration, at Jamie.Caldwell@ky.gov.