



Andy Beshear
GOVERNOR

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Mary Elizabeth Bailey
SECRETARY

MEMORANDUM

PERSONNEL MEMO 26-10

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

From: Mary Elizabeth Bailey, Secretary *MEB*

Date: June 29, 2026

Re: **State of Emergency / Severe Weather System –
FLSA Status and Disaster Services Volunteers**

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 2026-400](#), declaring a State of Emergency due to the severe weather system that impacted the Commonwealth, creating dangerous conditions including flooding and flash flooding, 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 beginning Sunday, June 28, 2026**, and may remain until the conclusion of this State of Emergency (not exceed 30 days, unless extended pursuant to KRS 39A.090(2)(b).)

Instructions for making this temporary change are available on the HR website under [Reference/State of Emergency](#).

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.