

Commonwealth of Kentucky  
Finance and Administration Cabinet  
Department of Revenue



# **Fiscal and Personnel Administration Manual**

## **Office of Property Valuation Administrator**

**\* \* May 2016 \* \***



## INTRODUCTION

This manual has been prepared to provide guidance to all property valuation administrators (PVAs) and their employees regarding the various personnel policies and procedures that are in place. Topics covered include sections on the various employee benefits, job classifications and educational incentives that are available to PVA deputies. Additionally, information that is specific to the PVA is provided. This includes the preparation of budgets, a discussion of the various local funding sources and the paperwork necessary to complete for all employee actions.

To assist all PVAs with their personnel administrative duties, the PVA Administrative Support Branch has been established within the Office of Property Valuation. Personnel within this Branch can provide guidance to PVAs regarding personnel, payroll, health and life insurance and other related issues. They will also provide budget documents and instructions to each PVA. The staff in this Branch will also offer training on a variety of personnel issues through the Office's education program and at the annual Conference on Assessment Administration that is conducted by the Office.

The contact information for each member of the PVA Administrative Support Branch is as follows:

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The PVA Administrative Support staff is located on the 4<sup>th</sup> floor of the State Office Building at 501 High Street in Frankfort. **The mailing address to use is P O Box 1463, Frankfort, KY 40602-1463.**

The FAX number for this Branch is 502-564-5219. This number is secure to accommodate personnel documents with confidential information. Therefore, **no confidential/sensitive document should be sent via e-mail.**

## CHAPTER I

### General Overview of the Office of PROPERTY VALUATION ADMINISTRATOR (KRS Chapter 132)

#### A. General

A Property Valuation Administrator (PVA) is elected in each county of the state. The elections of all PVAs are conducted in the same year in which county elections are held, with the term beginning on the first Monday in December after the election and continuing for four years.

An individual who seeks the office of PVA through election or appointment must first meet the following minimum qualifications. The candidate must be:

- At least twenty-four (24) years of age at the time of election;
- A citizen of Kentucky;
- A resident of Kentucky for two years; and
- A resident of the county for at least one year, preceding the election

In addition to the minimum qualifications listed above, an individual must pass a qualifying examination administered by the Department of Revenue in order to be eligible to run for the office of PVA. A certificate is issued to everyone who passes the qualifying examination. Each certificate expires one year from the date of issuance. Incumbent PVAs are not required to take the examination again to run for re-election.

The PVA is required to engage in official duties at least five days a week and keep scheduled office hours. If a PVA should vacate the office in any year during the term of office, the PVA is paid only for the calendar days actually served during the year. As a public official, the PVA is also required to annually complete the Executive Branch Ethics Commission, Statement of Financial Disclosure, by April 15<sup>th</sup> of each year (KRS 11A.050). If the "Statement" is not filed, the PVA's salary will be withheld, until filed and a "Notice of Release" from the Ethics Commission is received.

#### B. Compensation of the Property Valuation Administrator ([KRS 132.590 \(1-4\)](#))

The compensation of the PVA shall be based on the schedule contained in KRS 132.590. The compensation of the PVA shall be calculated by the Department for Local Government annually.

The salary schedule for PVA provides for nine (9) levels of salary based upon the population of the county in the prior year as determined by the United States Department of Commerce, Bureau of the Census. The

salary schedule also provides four (4) steps for annual increments within each population group. A PVA shall be paid according to the first step within their population group for the first year or portion thereof (i.e. appointed PVAs) they serve in office. Thereafter, each PVA, on January 1 of each subsequent year shall be advanced automatically to the next step in the salary schedule until the maximum salary amount for the population group is reached.

Any person who has previously served as a PVA, prior to assuming the office must certify to the Finance and Administration Cabinet the total number of years, not to exceed four (4) years, that the person has previously served in the office. The cabinet shall place the person in the proper step based upon one (1) incremental step per full calendar year of service.

### SALARY SCHEDULE

<u>COUNTY POPULATION BY GROUP</u>	<u>STEPS FOR PVA 2016</u>			
	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>
<u>Group 1</u> (0 – 4,999)	\$65,493	\$67,478	\$69,463	\$71,447
<u>GROUP II</u> (5,000 – 9,999)	\$71,447	\$73,432	\$75,417	\$77,401
<u>GROUP III</u> (10,000 – 19,999)	\$77,401	\$79,386	\$81,371	\$83,355
<u>GROUP IV</u> (20,000 – 29,999)	\$80,378	\$83,355	\$86,332	\$89,309
<u>GROUP V</u> (30,000 – 44,999)	\$86,332	\$89,309	\$92,286	\$95,263
<u>GROUP VI</u> (45,000 – 59,999)	\$89,309	\$93,279	\$97,248	\$101,217
<u>GROUP VII</u> (60,000 – 89,999)	\$95,263	\$99,233	\$103,202	\$107,171
<u>GROUP VIII</u> (90,000 – 499,999)	\$98,240	\$103,202	\$108,164	\$113,125
<u>GROUP IX</u> (500,000 and UP)	\$104,194	\$109,156	\$114,118	\$119,079

Upon publication of the annual consumer price index (CPI) by the U.S. Department of Commerce, the annual rate of salary for the PVA shall be determined by applying the increase in the CPI to the previous year's salary.

The applicable CPI is usually published nationwide by the first week of February. The updated salary determination shall be retroactive to January 1.

### **C. Educational Opportunities**

Two professional designations are available for PVAs and their deputies who successfully complete a combination of courses offered through the educational program of the Department of Revenue's Office of Property Valuation.

The first designation is the "Certified Kentucky Assessor (CKA)" designation. Minimum requirements include 120 hours of classroom instruction and three (3) years of experience in Kentucky property tax administration.

The second designation is known as the "Senior Kentucky Assessor" (SKA) designation. Minimum requirements include a CKA designation plus 90 additional hours of education and two (2) additional years of experience in Kentucky property tax administration.

More information about the Education Program and the CKA or SKA designations can be found on the PVA network in the Division of Local Support's Section: <http://revenue.ky.gov/pvanetwork/lv>. You may also contact Robert Vick of the Office of Property Valuation Education and Compliance Branch at (502) 564-7180.

### **D. Education Incentives (KRS 132.590 (3 (c)))**

In addition to his or her salary, each PVA is eligible to earn additional lump sum payments as an educational incentive each calendar year upon the successful completion of forty (40) hours of approved continuing education. One education incentive payment is earned each year up to a maximum of four. For 2016, the amount of the incentive payment is \$992.15. Therefore, a PVA who has completed the required training for four consecutive years is eligible to receive a total of \$3,968.60 in educational incentives. The incentive amount is adjusted by the Consumer Price Index (CPI) each year.

The Office of Property Valuation's Education and Compliance Branch will certify each PVA's eligibility to receive an educational incentive payment to the PVA Administrative Support Branch so that an appropriate payment can be generated. Any questions regarding training hours needed to qualify for an educational incentive payment should be directed to Robert Vick of the Education and Compliance Branch at 502-564-7180.

## **E. County Grade**

A county grade adjustment may be received for an increase in the area, population, or assessed value of property which would result in a point total above the range of the present grade. This will not result in a salary increase for the PVA but it will impact the grade allowed for the Chief Deputy since that position is designated as one grade below the county grade.

On rare occasions, a county's population has decreased enough to cause the county to fall into a lower group on the local official's salary schedule. When this occurs, the current PVA and chief deputy are unaffected; however, a subsequent PVA and chief deputy would have their grade levels and salaries based upon the lower salary group.

## **F. Expense Allowance (KRS 132.597)**

The PVA is allowed an annual expense allowance of \$3600 payable in monthly installments of \$300. No records are required to verify the expenditures for the expense allowance. The expense allowance is considered additional income and appropriate taxes and fringe benefits are deducted on the same basis as the PVA's salary. To receive this allowance a PVA is required to attend thirty (30) classroom hours of professional instruction conducted and approved by the Education and Compliance Branch during each calendar year. PVAs who have received their SKA designation need to complete only fifteen (15) hours annually to qualify for the expense allowance. Failure to attend the required classroom hours forfeits the PVA's expense allowance for the next calendar year.

**NOTE: When an individual is appointed and/or elected to fill an unexpired term of a PVA, they shall be entitled to immediately receive the monthly expense allowance authorized by KRS 132.597. The educational requirements listed in the statute will be required to be met during the first calendar year the individual is in office.**

## **G. PVA Conferences (KRS 131.140(4))**

Each year the DOR conducts the Conference on Assessment Administration which is mandatory for the PVA to attend. KRS 131.140 (4) requires that one-half (1/2) of PVA actual and necessary expenses in attending the conference shall be paid by the Finance and Administration Cabinet and the remaining one half of the expenses are paid by the county.

Each June, the Kentucky PVA Association holds its annual conference. The PVA Association informs each PVA office of the specifics about its conference's time, location and agenda.

## **H. Use of PVA Office Vehicles**

The PVA is allowed to purchase a vehicle(s) for office functions. Any personal use of an office vehicle is considered a fringe benefit that is taxable to the PVA. An annual report must be filed with the PVA Administrative Support Branch by November 30<sup>th</sup> of each year with the December personal use estimated. From this report, the PVA Administrative Support Branch personnel will add the appropriate amount as a taxable fringe benefit to the PVA's last paycheck for the calendar year.

## CHAPTER II

### PVA DEPUTIES AND OTHER AUTHORIZED PERSONNEL

#### **A. Appointment**

The PVA has the statutory responsibility to appoint employees of his or her office. These appointments are submitted to the PVA Administrative Support Branch on a Request for Personnel Action (RPA) form at least fifteen days before the starting date of employment. All RPAs for new employee appointments received less than fifteen days prior to the desired start date may cause a delay in the hiring process.

The RPA form is also used to document any type of action taken that impacts payroll. Therefore, when something involving an employee needs to be updated (salary change, new address, new job title, etc.) please submit the RPA in a timely manner.

All PVA deputies who will be responsible for fieldwork outside of the office in support of the property assessment process shall be at least 21 years of age. The minimum age for all deputies involved with office duties shall conform to the "Federal Child Labor Law" and State labor laws, rules and regulations.

All employees serve at the pleasure of their respective PVA. They are classified as "**At Will**" which means they are non-merit, unclassified state employees.

Deputies appointed as a "Chief Deputy" or "Chief of Staff" must be one (1) grade below the County Grade. All other appointed deputies must be no closer than two grades below the County Grade.

A complete signed employment package must be submitted before the actual day of employment, even, if a pre-approval is granted. An official transcript or copy of the college degree must also be received, before the qualifying salary is entered into the state KHRIS payroll system. See the "PVA Hiring Checklist" in the appendix for a list of forms that must be completed for all new employees.

Employees in the PVA office cannot be paid from office funds for other services (i.e. cleaning services, contractual services).

#### Outside Employment and (Request for Approval Form)

Any deputy who works a second job outside of the PVA office must complete a "Request for Approval of Outside Employment" form. This form must be signed by both the deputy and PVA and submitted to the PVA Administrative Support Branch preferably prior to the deputy starting the additional job. The outside employment will be reviewed for any



potential conflict of interest with the deputy's position within the PVA office and if there are any issues, the PVA will be contacted. All new hires will complete the form even if there is no outside employment. The form should be marked with N/A and signed by the employee and PVA.

**PVAs and Nepotism:** On August 12, 2015, the Kentucky Supreme Court declined to hear an appeal by the Executive Branch Ethics Commission (EBEC) from a 2014 ruling by the Kentucky Court of Appeals that was in favor of PVAs and the hiring of family members. The EBEC argued unsuccessfully for many years that PVAs are in violation of KRS Chapter 11A which prohibits a public official from using "his official position or office to obtain financial gain for himself or any members of the public servant's family." In its 2014 decision, the Court of Appeals upheld two rulings by separate divisions of the Franklin Circuit Court reversing final orders of the EBEC against five PVAs regarding various personnel actions involving family members of the PVAs. The Court of Appeals' decision endorsed the distinction the lower courts found between the term "financial gain," as used in KRS 11A.0120(1)(c), and the concept of "compensation," which denotes "earned income which is not prohibited, as distinguished from gifts, gratuities, kickbacks and other forms of *financial gain*," and which is not found in the applicable statutory language. The Court of Appeals ruled that, "[a] plain reading of the statutory language ... leads us to conclude that the Legislature did not intend to bar the hiring or promotion of family members within a PVA's office via KRS 11A.020(1)(c)." Kentucky Executive Branch Ethics Commission v. Felicia M. Wooten, et al., No. 2013-CA-000524-MR (Ky. Ct. App. 2014). The Code of Ethics Form is part of the personnel packet for new hires/appointments.

### Office Work Hours and Schedule

Business office hours vary from office to office. The PVA shall determine the exact hours of work and the work schedule with each employee. Any schedule differing from a 7.5 hour work day should be pre-approved by the PVA Administrative Support Branch using a [Personalized/Flexible Work Schedule Agreement Form](#). The standard workweek for full-time employees is 37.50 hours. With approval of the Department of Revenue (DOR), county courthouse office hours may be adopted. State and Federal laws must be met with respect to working hours for all (i.e. breaks/lunch period).

### **B. Classification**

Every position must be given an appropriate classification prior to any personnel or position action. The employee's duties and responsibilities as indicated on the Position Description (PD) that is completed will determine this.

A listing of all job classification titles is shown on page 16. The various job grades and the education and/or experience requirements associated with each grade are listed on page 17. If college hours and/or degree are listed on the "Application for Employment" an **official transcript** or **college degree** must be received by the PVA Administrative Support Branch. If not received timely, the employee will be hired and approved at a lower grade and salary for which they qualify.

### **C. Educational Opportunities and Benefits**

The same professional designations that are available for PVAs can also be awarded to a deputy who successfully completes a combination of courses offered through the educational program of the Department of Revenue's Office of Property Valuation.

Please refer to the previous section on PVA Educational Opportunities on page 4 for a description of the CKA and SKA designations and what is required to achieve them. Upon receiving either of those designations, a deputy may receive an education incentive of 5% of his or her salary. The PVA/DOR Budget Committee will make the decision at the end of each fiscal year if educational incentives can be offered.

### **D. Compensation**

Initial appointments are made at the salary of the appropriate pay grade that the employee qualifies for and is available to the PVA office. Each potential employee's job experience is verified by the PVA Administrative Support Branch. All salary considerations should be discussed and approved with the PVA Administrative Support Branch before an applicant is hired. Currently, all new hires will be hired in at the same or a lower grade of the departing deputy; however, the starting salary may be increased through "OX" (local) funds to reflect the qualifications of the applicant.

#### **1. Salary Advancements**

Salary advancements are increases in salary within the employee's current pay grade. Examples of a salary advancement include annual increments as determined by the General Assembly and the five percent (5%) six month salary adjustment that is allowed after each employee completes six months of employment at the discretion of the PVA. These are explained in greater detail in the following sections.

Six Month Salary Adjustment (SMSA) – After a permanent employee, full time or part time, has completed six (6) months in the PVA office, the PVA may request a five percent (5%) adjustment to the employee's salary. This adjustment will only be done upon the request of the PVA, and shall be requested within one (1) month prior to the expiration of the six (6) month period. If the request for a SMSA is received after the time frame stated above, the request will be

processed only if the PVA pays the five percent (5%) increase from local (OX) funds for the time from the original date of eligibility to the date requested.

Promotional Six Month Salary Adjustment (PSMSA) – After an employee is promoted and has completed six (6) months, an additional six months salary adjustment can be requested and paid through local (OX) funds.

Annual Increments – An annual increment is a salary increase for an employee in which a salary is advanced by a percentage or dollar amount as determined by the budget enacted every two years by the General Assembly. To be eligible to receive the increment, the employee must have completed twelve (12) continuous months of service since the last increment.

Each employee's six month salary adjustment date and annual increment date will be provided by the PVA Administrative Support staff. The establishment of these dates will be in accordance with Department of Personnel guidelines that are in place for all State employees.

## **2. Salary Adjustments**

Salary adjustments are changes from one pay grade to another pay grade. Adjustments can be made for promotion, reclassification or demotion. See the "PVA Personnel Quick Reference Guide" in the Appendix on various ways to reclassify and promote an employee (i.e., Vacancy Promotions, OX Promotions and 90 Day Delay Promotions). All reclassifications and promotions require a new Position Description (PD) and updated application for promotion.

- a. Reclassification - A reclassification is a change to a higher pay grade as a result of changing job duties or meeting additional experience requirements within a classification series. A PVA may grant an eligible employee a reclassification every twenty-four months as long as the employee has taken 30 hours of additional course work with a passing grade. An employee who is advanced to a higher pay grade through reclassification will have his/her salary increased five percent (5%) or to the minimum salary of the new pay grade, whichever is greater.
- b. Promotion - A promotion is a change to a higher pay grade as a result of a person's job duties/position changing from one classification series to another. An employee who is promoted may have his/her salary increased five percent (5%) for each grade or up to ten percent (10%) above the minimum salary of the new pay grade, for which he or she qualifies, whichever is greater. A deputy

may be eligible for a promotion every twelve (12) months. All promotions are at the discretion of the PVA and the availability of funds within the budget.

c. Midpoint Promotion Program

The PVA Budget Committee has implemented a program that will allow PVAs to pay for deputy salary increases out of local funds, up to the midpoint of the employee's grade, in 5% increments. These raises are granted effective July 1<sup>st</sup> of each year and must be renewed on an annual basis to keep them in effect.

Before a PVA can commit to paying for a raise of this type, all deputy hire and shortfall billings must be paid in full. The PVA must also understand that the fringe benefits associated with the salary increase must also be funded by the office. The benefits will add between 40% to 50% to the total amount billed for the salary increase. The total amount due for the salary increase will be billed to the office and it must be paid by July 31<sup>st</sup>. Finally, an application checklist form must be completed in June of each year so that the PVA Budget Committee can review and approve the requested increases.

The deputy receiving the salary increase must also acknowledge that they understand the increase is dependent on the availability of local funds and those funds may not be available in subsequent fiscal years.

Chief Deputies may be increased in five percent (5%) increments at any time if paid with local funds. A chief deputy may be hired in at mid-point of the applicable salary grade; however, the difference in the "grade plus 10%" salary and the mid-point salary must be paid from "OX" funds.

A copy of the Application Checklist (to be completed the first year a raise is requested for an employee) and the Renewal Checklist (to use to renew a raise for an employee) are included in the Appendix of this manual.

d. Demotions and Title Changes - If an employee is demoted due to job performance and/or other documented reasons or has a title change that results in a significant reduction in duties, the appointing authority shall determine the salary in one of the following ways:

- (1) The employee's salary shall be reduced five percent (5%) for each grade that the employee is demoted.
- (2) If a demotion is requested within six (6) months of receiving

- additional compensation, the employee will revert back to the salary received before receiving the promotion.
- (3) If the demotion involves a Chief Deputy, they will be reverted back to their salary at the time of promotion plus any salary adjustment(s) they would have received since the promotion.

#### **E. Pension Spiking Considerations**

In accordance with recently enacted legislation, the Kentucky Retirement Systems is now reviewing the salary history of recently retired employees to determine if any salary increases of 10% or greater were granted within the 5 year window of salaries that are used as the basis of the employee's retirement allowance. If an increase of this amount is noted, a written inquiry will be made to determine if the salary increase was made due to a true change in responsibilities. If there are questions about the increase, a hearing will likely be held and the PVA may have to provide testimony regarding the factors that led to the salary increase. If it is determined that the increase was not due to a bona fide promotion or change in duties, the PVA office will be responsible for any additional amounts due that are levied by the retirement system.

The Kentucky Retirement Systems has developed Form 6480 and 6481 that would allow an employer to request a pre or post-determination of a bona fide promotion or career advancement for an employee. Forms 6480 and 6481 are included in the Appendix of the manual and must be included in the personnel hiring packet.

#### **F. Retirees**

Any returning retiree shall complete the required "Member and Employer Certification Regarding Reemployment" form (Kentucky Retirement Systems Form 6751) and receive written approval from Kentucky Retirement Systems (KERS) to return. This approval letter must accompany the RPA submitted by the PVA. The returning employee will be started at the minimum salary for the applicable grade; however, additional amounts could be added to the starting salary to reflect the employee's experience. All returning retirees will be considered a new employee for the purposes of accruing annual and sick leave time.

#### **G. Dismissals**

Each employee appointed by the PVA may be dismissed at the pleasure of the PVA. This action does not require the prior review and approval of the PVA Administrative Support Branch; however, prior notification should take place before the submission of the RPA reflecting the dismissal.

Even though deputies are "At Will" employees, a PVA should have documentation of the circumstances that caused the deputy to be dismissed and the remedial actions that were attempted.

**Note:** The ETS-PVA timekeeping system requires that RPAs for terminating employees be submitted on a timely basis. This will help to eliminate timesheets generated in error and erroneous paychecks. Also, the ETS-PVA timekeeping system will allow you to enter any amount, regardless of how small, to reconcile the departing employee's annual and comp-time leave balances to zero.

## **H. Vacancy & Hiring Policy**

Due to budget constraints, all PVAs must currently observe a 90 day hiring delay whenever a vacancy arises. If the PVA desires to fill the position sooner than 90 days, this can be done if all salary and benefits (i.e., retirement, health and life insurance) associated with the position are paid from local (OX) funds. Personnel with the PVA Administrative Support Branch can provide an estimate of the costs involved if a position were to be filled prior to the expiration of the 90 day delay.

If, after observing the 90 day delay, a newly hired deputy leaves the position within the first six months of employment, the PVA will not have to wait another 90 days to replace the deputy who left.

A PVA may promote a current employee to a vacant position that is a higher grade after the 90 day hiring delay is observed. The lower grade position may then be filled immediately since the required 90 day hiring delay has already been observed. However, the new employee filling the lower position must be hired in at the same or lower grade unless the PVA pays the difference in salary from local (OX) funds.

## **I. Employment Status**

### **1. Personnel Status**

Three (3) basic types of employment status apply to the employees of a PVA office.

#### a. Permanent full-time status

1. Employee is full-time salaried; and
2. Employee is entitled to full fringe benefits (i.e. Holidays, Retirement etc.)

#### b. Permanent part-time under 100 hours per month

1. Employee is part-time hourly;
2. Employee must work under 100 (99.75) hours per month;
3. Employee is entitled to FICA benefits only.
4. Part-time employee may receive part-time holiday pay at the PVA's discretion if they notify the PVA Administrative Support Branch and submit the payment in advance; and

5. Upon closing of the Courthouse/Annex a part-time employee that is scheduled to work will be paid upon the use of "CLOS" on "ETS-PVA" timesheet.

**NOTE:** No part-time (PT) < 100 hours per month employee should be allowed to work more than **99.75** hours per month. If a part-time employee is allowed to work an average over 100 hours per month in a calendar or fiscal year, the respective PVA office will be billed upon receipt for any "Omitted Retirement Contribution", "Health and Life Insurance costs" and any other applicable expenses for that employee.

c. Seasonal status (i.e., summer help, intern, co-op)

1. Employee must have a beginning and ending date of employment.
2. Employee can be considered a full-time employee for six months.
  - (a) Employee is salaried;
  - (b) Employee is entitled to FICA;
  - (c) Employee is entitled to Holidays; and
  - (d) Employee is entitled to one (1) sick day per month.
  - (e) Upon closing of the Courthouse/Annex a full time seasonal that is scheduled to work will be paid upon the use of "CLOS" on "ETS-PVA" timesheet.
3. Employee can be considered a part-time hourly employee for nine months.
  - (a) Employee is part-time hourly;
  - (b) Employee is entitled to FICA; and
  - (c) Employee is entitled to part-time Holiday pay at the PVA's discretion; and
  - (d) Upon closing of the Courthouse/Annex a part-time hourly employee that is scheduled to work will be paid upon the use of "CLOS" on "ETS-PVA" timesheet.

**\*NOTE:** It is the responsibility of the PVA to end the seasonal employment at the end of the required time. A RPA must be submitted to the PVA Administrative Support Branch at the end of the employee's term. Failure to end within the agreed term will result in the PVA office paying for the additional cost of benefits (i.e. KHRIS generated or Retirement/Omitted Contribution) from local (OX) funds. If a seasonal employee is re-hired, there must be a one (1) month break in employment.

## **2. Nature of Personnel Action**

The PVA communicates various requested PVA office personnel actions to the PVA Administrative Support Branch using a Request for

Personnel Action (RPA) 62A639 form. A RPA must be submitted for the following personnel action requests and originals sent to the PVA Administrative Support Branch:

- (a) Election - PVA is elected.
- (b) Appointment - employment of PVA or deputy is made
- (c) Reclassification - an upgrade within a job series
- (d) Promotion - an upgrade from one job series to another job series.
- (e) Lateral - a change in job series without a grade change or a transfer to another county.
- (f) Demotion - a downgrade from one job series to another job series or within a job series.
- (g) Death - an employee dies.
- (h) Dismissal - employee is released from employment.
- (i) Suspension - employee is temporarily released from employment duties with or without pay.
- (j) End of Term - Seasonal employee's expected term ends.
- (k) Extended Leave Without Pay (LWOP) and FMLA - an employee is temporarily relieved of duties without pay.
- (l) Military Leave - an employee serves in the armed forces.
- (m) Resignation - an employee voluntarily ceases employment.
- (n) Retirement - an employee ceases employment due to disability or retirement.
- (o) Six Month Salary Adjustment – Permanent new employee is eligible after completing six (6) months of employment in PVA office.
- (p) Vacancy Promotion – A vacancy promotion may occur when a PVA has a vacancy in the office and an existing employee is eligible for upward mobility in the office.
- (q) Name Change
- (r) Address Change
- (s) Other - all other action not specifically stated on RPA form, including promotional six month salary adjustment.

**Note:** Annual increments do not require an RPA. These are generated automatically by the PVA Administrative Support Branch.

## **J. Fund Source**

The fund source describes the funds from which an employee is to be paid. State (OO) or Local (OX) fund should be stated on the RPA in Section 9 under remarks.



## **"JOB CLASSIFICATION TITLES"**

### **MAPPING SERIES**

GIS Mapping Technician

GIS Mapping Technician II or Supervisor

### **ASSESSMENT SERIES**

Real Property Assessor

Real Property Assessor Principal or Supervisor

### **DATA COLLECTION SERIES**

Field Representative

Field Representative Principal or Supervisor

### **ADMINISTRATIVE SERIES**

General Deputy

General Deputy Principal

Customer Service Rep

Personal Property Clerk

Personal Property Principal

Administrative Assistant

Office Manager

Chief Administrative Assistant

**Chief of Staff**

**Chief Deputy**

**NOTE:** A description of the duties associated with each job classification can be found in the Appendix of this manual.

**2016 State Salary Schedule:  
Revision and Grades Requirements**

**A PVA may recommend the appointment of a qualified applicant with an extra five (5%) percent for four (4) additional years of experience or ten percent (10%) for eight (8) additional years of experience, above the minimum salary.**

Deputy 5 @ \$7.67	(\$1,245.90)	Entry: Co-op/Summer help student or under age 18.
Deputy 6 @ \$8.44	(\$1,370.70)	Entry: High school graduate or GED equivalent with passing number certificate.
Deputy 7 @ \$10.10	(\$1,641.26)	Entry: Routine tasks with other duties as required.
Deputy 8 @ \$10.71	(\$1,741.07)	Entry: High school plus one (1) year experience or college, or combination.
Deputy 9 @ \$11.22	(\$1,823.90)	Entry: High school plus two (2) years experience or college, or combination.
Deputy 10 @ \$12.35	(\$2,006.08)	Entry: High school plus three (3) years experience or college, or combination.
Deputy 11 @\$13.58	(\$2,206.92)	Entry: High school plus four (4) years experience or college graduate.
Deputy 12 @\$14.94	(\$2,427.44)	Entry: College graduate or high school plus five (5) years experience or combination.
Deputy 13 @\$16.43	(\$2,670.20)	Entry: College graduate plus two (2) years experience or combination.
Deputy 14 @ \$18.08	(\$2,937.20)	Entry: College graduate plus three (3) years experience or combination.
Deputy 15 @ \$19.88	(\$3,230.84)	Entry: College graduate plus four (4) years experience or combination.
Deputy 16 @\$21.87	(\$3,553.88)	Entry: College graduate plus five (5) years experience, a Master's Degree or combination.
Deputy 17 @24.06	(\$3,908.94)	Entry: College graduate plus six (6) years experience, a Master's Degree or combination.

Note: Home schooled certificates are not recognized by state government. Home schooled applicants must have a GED certificate.

Designation: A CPA, JD, IAAO or an accredited post-graduate certification will substitute for a Master's Degree.

## CHAPTER III

### PAYROLL

#### SECTION I

##### A. **Payroll**

As partially discussed in Chapter II the following forms are required before a paycheck can be issued. These forms are included in the appendix of this manual and are available on the PVA website.

- # [Request for Personnel Action form \(RPA\) \(62A639\)](#)
- # [State Application and/or Updated Application Form](#)
- # [Position Description](#)
- # [Form W-4](#)
- # [Form K-4](#)
- # [Form I-9](#) & attachments
- # Insurance Applications ([Health](#) & [Life and Beneficiary](#))
- # Kentucky Retirement [Form 2001](#) & [Form 2035](#) (*www.kyret.com*)
- # [DOR Acknowledgement of Confidentiality](#)
- # [Fair Labor Standards Act Test](#)
- # [Fair Labor Standards Act Form](#)
- # [Personalized/Flexible Work Schedule Agreement](#)
- # [Request for Approval of Outside Employment Form](#)

To assist the PVA with the hiring process, a "PVA Hiring Checklist" has been developed and is available on the PVA network.

Paydays are twice per month, on the 15th & 30th. Paydays will be on Friday when one of these dates fall on Saturday, Sunday, or a holiday which falls on Monday. The processing of the statewide (KHRIS) payroll determines the posting dates of the paychecks. All employees must be set up to use direct deposit.

##### **1. Payroll Status Changes**

A completed Request for Personnel Action (RPA) form must be submitted prior to any change to an employee's payroll status. Example: appointments, resignations, terminations, FMLA, leave of absences and salary changes.

##### **2. Payroll Deductions**

The Commonwealth of Kentucky is required by law to make specific deductions from every paycheck. The mandatory deductions are federal, state and local taxes, FICA (Social Security and Medicare) and state retirement. Other deductions from paychecks may be made for other voluntary payments (i.e., credit union, group insurance plan, deferred comp.). If there are questions or problems related to

paychecks, they should be directed to an immediate supervisor and then, if necessary, to the PVA Administrative Support payroll officer.

### **3. Removal from Payroll**

Unless otherwise permitted by statute or directive, the PVA is encouraged to remove from payroll any employee who has not worked at all in two (2) consecutive pay periods. Additionally, PVA Administrative Support Branch personnel have the discretionary authority to protect the integrity of the payroll and timekeeping systems by removing any employee not working with the approval of the PVA. The timekeeping system (ETS-PVA) generates two (2) timesheets each period. An employee who has not worked for each pay period, will have to be entered as "Leave Without Pay (LWOP)" by the PVA for the pay period containing the termination date given on the RPA. Branch personnel will enter "Leave Without Pay (LWOP)" or void the timesheet for periods beyond the pay period of the termination. If an employee who has not worked during a pay period remains in the system, not entered as LWOP, and receives a pay check, the PVA Office will be responsible for the reimbursement and/or securing the erroneous payroll check(s) only if it is determined that the error was solely the result of an action or inaction on the part of the PVA or PVA office.

### **4. Electronic Timekeeping System-PVA**

All PVA offices use the Electronic Timekeeping System (ETS-PVA). All timesheets must be submitted no later than 2:00 p.m. EST on the last day of each pay period. The ETS-PVA tracks hours worked and leave taken by noting only the exceptions of an employee's work schedule. Work schedules must be set up for all new employees prior to entering time into ETS-PVA by the PVA or timekeeper. The effective date of an employee work schedule must be the Monday before the payroll begins.

Part-time employees should be set up with a full-time work schedule and entered with Leave Without Pay (LWOP) for hours not worked.

The ultimate responsibility for the submission and approval of the office timesheets in ETS-PVA falls on the PVA. The reporting of employee's individual time should be done by either the timekeeper, back-up timekeeper/approver or PVA.

If changes are made after ETS-PVA has been submitted and approved, the PVA Administrative Support Branch must be called. A corrected timesheet must be submitted, with **CORRECTION** written in red at the top and faxed to the Branch immediately. The original corrected timesheet should then be mailed to the Branch.

## 5. Time and Attendance Policy

### **Flexible Scheduling**

In accordance with the Finance Cabinet's Revised Flexible Scheduling Procedure #2.7, employees of the PVA office have an option of working a flexible schedule. Details of the various options available are contained in the Procedure and a copy is shown below. Due to limitations in ETS-PVA, some flex time schedules available in the Procedure will not be accepted. Keep in mind that flexible work schedules are a privilege granted by the PVA and Finance Cabinet and may be revoked at any time.

<b>POLICY AMENDMENT</b>	
EFFECTIVE DATE:	January 1, 2006
<b>SUBJECT: Daily Time and Attendance Functions and Reporting (DTAR)</b>	

#### **I. POLICY/PURPOSE**

It is the policy of the Office of Property Valuation and the PVA Administrative Support Branch to insure that uniform procedures are followed when recording time and attendance.

#### **II. BACKGROUND**

It shall be the responsibility of each employee/deputy and PVA to maintain daily time and attendance reports (DTAR) in the PVA offices. DTAR and the ETS-PVA timesheets shall be considered the official records of attendance for the PVA deputies. PVAs are responsible for proper function, use and maintenance of these records.

Falsification of records (DTAR) is a serious offense and may result in disciplinary action including reprimand, suspension or dismissal for the deputy. DTAR and ETS-PVA timesheets not only serve as the official document of time worked in the office, but they also serve as the official record of accumulated time balances.

#### **III. COMPONENTS: DAILY TIME AND ATTENDANCE RECORDS**

- A. Employee work schedule (i.e. 8:00 am / 12:30 – 1:30 pm Lunch / 4:30 pm) should be entered into the ETS-PVA timesheet system.
- B. Full-Time Employee work schedule must total a 37.5 hour work week ("Certification of 37.50 Hours Work Week Form" must be completed by the PVA for the office available work hours schedule)
- C. Signature of Employee/Deputy Section
- D. Statement of Certification of Time & Leave for Payroll Reporting
- E. Comment Section/Leave Notation (i.e., Annual/Sick/Comp-time)
- F. Section for Supervisor Initial and Timekeeper to Sign
- G. Password specific computerized time is acceptable

#### **IV. RESPONSIBILITIES**

##### **A. INDIVIDUAL: DEPUTY**

- 1. Record hours worked using a sign-in sheet, daily timesheet or computerized time system.
- 2. Submit DTAR to supervisor each pay period by the last day of the pay period.
- 3. Record all leave time used and show in fifteen (15) minute intervals. (.25 for each fifteen minutes)
- 4. Minimum of a 30 minute lunch, per Kentucky Regulations.
- 5. Check leave balances each pay period and report any discrepancies.

6. Voting Leave must be requested in advance and approved. Employee is required to vote if leave is granted.
7. Each employee must sign in/out each day and should not sign for someone else's time, no exceptions (grounds for disciplinary actions).

#### **B. PVA**

- 1) DTAR and ETS-PVA Office Timesheets are the official record of attendance.
- 2) DTAR reports are to be kept on each employee with no exceptions.
- 3) Changes that occur after submission of the timesheet must be reported within 24 hours of notification on an Amended Timesheet.
- 4) ETS-PVA Timesheets serve as the official document of time worked in the office and of accumulated time balances.
- 5) DTAR and the ETS-PVA Office Timesheet should reflect the number of hours worked on the day the work occurred for all employees.
- 6) Leave Request Form (available upon request) to be used by employees for scheduled absences such as annual leave or scheduled medical appointments.
- 7) All Records should be retained for a minimum of four (4) years.

#### **C. PVA OFFICE: SUPERVISOR**

- 1) Review each Employee's DTAR, to ensure adherence to the above mentioned procedures.
- 2) Submit Employee's DTAR to Timekeeper/PVA for entry into ETS-PVA and approval on a timely basis.

#### **D. PVA OFFICE: TIMEKEEPER/PVA (Internal Reporting)**

- 1) Abide by the proper functions and maintenance of timekeeping records in conformity with:
  - a. Fiscal and Personnel Administration Manual
  - b. Retention Schedule
  - c. Fair Labor Standard Act
  - d. KRS and KAR (i.e. Labor Laws and Work Schedule)
  - e. ETS-PVA Manual
- 2) Ensure that all leave time is recorded on the timesheet.
  - a. Comp-Time: If approved all comp time must be recorded on the timesheet
  - b. Holidays must be recorded on the timesheet.
  - c. Leave time must be recorded on the timesheet when taken.
  - d. Employees should be allowed four (4) hours for voting leave if the leave is requested in advance. Do not assume that all employees will be taking the voting leave and/or voting. (101 KAR 2:102 allows, an employee who is eligible and registered to vote shall, upon prior request and approval be allowed, four (4) hours, for the purpose of voting). Employee must vote to receive leave time.
  - e. Any changes made to a timesheet after it has been submitted and approved must be recorded with a timesheet correction. Do not wait until the next pay period and show the adjustment on a different day or pay period.
- 3) Sign timesheet each pay period. The Timekeeper/PVA signature shows the PVA's approval of the submitted timesheet.
  - a. The PVA may delegate the authority to approve timesheets in his/her absence to a staff member or timekeeper by advising the PVA Administrative Support Branch in writing.
- 4) Maintain employee records as "Confidential" for 3 years.
- 5) Each Employee DTAR record shall be kept in the PVA office and ETS-PVA should be submitted, approved and then uploaded by the PVA Administrative Support Branch each pay period.

## **E. PVA OFFICE: TIMEKEEPER/PVA (External Reporting)**

- 1) For changes that occur after submission, contact the PVA Administrative Support Branch and fax a **Corrected** ETS-PVA timesheet immediately. The original corrected timesheet should be mailed to the Branch by the close of business upon discovery.
- 2) Verify and reconcile leave balances back to Shadow 164 report within ETS-PVA - usually 6<sup>th</sup> working day of the next pay period.
- 3) Ascertain periodically by observation that the said employee/deputy is the person signing in and out.

## **F. FINANCE & ADMINISTRATION CABINET: PVA ADMINISTRATIVE SUPPORT BRANCH**

- 1) Provide training to PVAs/Timekeeper on "Time Reporting".
  - a) Conferences: Summer and/or Fall
  - b) KY 49 Course and any other requested
  - c) Fiscal and Personnel Administration Manual
- 2) Verify electronic timesheets that are submitted and uploaded in ETS-PVA for State Personnel processing.
- 3) Maintain employee records as confidential.

## **V. CONSIDERATIONS**

- A. Workers Compensation: Employee's DTAR and the ETS-PVA Office Timesheets serve as documentation. If an employee is working at times not documented, it could jeopardize Workers Compensation benefits.
- B. Auditors of Public Accounts: Revised Agreed-Upon Procedures.
- C. Fair Labor Standard Act-Working over 40 hours per week without receiving overtime pay is a violation of Federal Labor (FLSA) laws.
- D. Federal and State Labor Laws Requirements (<http://www.labor.ky.gov>)

## **VI. REQUIRED DOCUMENTS**

- A. Daily Time and Attendance Record (DTAR) for Employee (i.e. Sign-In Sheet, Time Clock, Log-In System) **MUST NOT BEAR EMPLOYEE SOCIAL SECURITY NUMBERS OR ANY PERSONAL INFORMATION.**
- B. Personalized/Flexible Work Schedule Agreement
- C. The Office DTAR and (ETS-PVA) for the Submission to the PVA Support Branch (if necessary for timesheet to be submitted or approved by the Branch).
- D. Timesheet Amendments as necessary.

## **VII. REFERENCES**

- A. PVA Fiscal and Personnel Administration Manual
- B. Auditor of Public Accounts
- C. Example Timesheets: Daily and/or Weekly and Leave Request Form
- D. Federal and State Laws and Regulations

The timesheet data is entered in ETS-PVA according to Federal and State guidelines. Any variations from the State payroll standards created by the observance of local courthouse hours should be noted in the local payroll records and should be on file in the PVA Administrative Support Branch.

Note: Non-Exempt employees working more than 37.5 hours per week should be reported as earning compensatory leave up to 40 hours. If an employee works more than 40 hours per week, it should be reported as overtime at 1.5 times hourly rate on the timesheet.(For definition of non-exempt employee see Section III, C. Compensatory Leave Time and Overtime Pay).

**CHAPTER III**  
**FRINGE BENEFITS**  
**SECTION II**

The PVA and full-time employees participate in various fringe benefit programs provided by law for state employees. The major fringe benefits are holidays, various types of leave, retirement, life insurance, health insurance, worker's compensation, deferred compensation, unemployment insurance, social security, and flexible spending accounts for healthcare and daycare.

**A. Holidays**

The following days are adopted as holidays:

*New Year's Day	January 1
Martin Luther King Jr.	Third Monday in January
Good Friday	One-half day (3.75 hours)
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veterans Day	November 11th
*Thanksgiving Day	Fourth Thursday in November
*Christmas Day	December 25
Presidential Election Day	

\*An extra day each is observed for Thanksgiving, Christmas and New Year's Holidays.

When any of the days above fall on a Saturday, the preceding Friday will be observed as the holiday, and when one of the days fall on a Sunday, the following Monday will be observed as the holiday. When one extra day is mentioned, the Governor will designate the extra day. With pre-approval from the Branch, the county holiday schedule may be adopted in lieu of the state holiday schedule, as long as the PVA office does not have more than the total state days of holiday leave. If additional/different holidays are observed, the PVA Administrative Support Branch must be notified in writing and in advance, no later than January 1 of each year.

The County Judge/Executive may order the closing of the courthouse for bad weather, other observed Holidays, etc. If this occurs, the PVA must complete and sign an "Office Closing Form". The County Judge's Executive Order and documentation as to why the PVA office will be closed is submitted to the PVA Administrative Support Branch for notification and timesheet reporting purposes and reported in ETS-PVA as "CLOS".



If it is necessary for an employee to work on a holiday, he/she will receive compensatory leave or overtime. The Branch should be notified in advance if this situation presents itself. If overtime is accrued, the PVA office will be billed and payment is due upon receipt of the bill.

**B. Annual Leave (NOTE: No Leave Balance can be restored prior to 1988)**

Each full-time employee will be allowed annual leave with pay at the following rate:

<u>Months of Service</u>	<u>Annual Leave Days</u>
0 - 59 months	1 leave day per month - 7.5 hrs
60 - 119 months	1 ¼ leave days per month - 9.38 hrs
120 - 179 months	1 ½ leave days per month - 11.25 hrs
180 - 239 months	1 ¾ leave days per month - 13.13 hrs
240 months and over	2 leave days per month - 15.00 hrs

An employee must have been in pay status for more than 100 hours in a month to accrue annual leave. For this reason part-time employees will not accrue annual leave. Annual leave accrues at the end of the month but cannot be used until the first day of the following month. In computing years of total service for the purpose of allowing annual leave, only those months for which an employee earned annual leave will be used.

Annual leave may be accumulated and carried forward from one calendar year to the next not to exceed the following maximum amounts:

<u>Months of Service</u>	<u>Annual Leave Days and Hours</u>
0 - 59 months	Thirty (30) work days - 225 hrs
60 - 119 months	Thirty-seven (37) work days - 277.5 hrs
120 - 179 months	Forty-five (45) work days - 337.5 hrs
180 - 239 months	Fifty-two (52) work days - 390 hrs
240 months and over	Sixty (60) work days - 450 hrs

Annual leave balances in excess of the maximum amounts shall be converted to sick leave at the end of the calendar year.

Absence due to sickness, injury or disability that cause an employee to exhaust his or her sick leave may be charged against annual leave at the request of the employee.

Accumulated annual leave shall be granted by the PVA in accordance with operating requirements and as requested by employees, if practicable.

Employees are charged with annual leave for absences only on days they are scheduled to work.

Annual leave shall accrue only when an employee is working or on authorized leave with pay.

An employee will be paid for accumulated annual leave and compensatory time (addressed in the following section) upon separation of employment. The employee will receive this payment one pay period after the last day of employment. The employee can also elect to have this payment directed into his or her deferred compensation account if arrangements have been made in advance with deferred comp.

### **C. Compensatory Leave Time and Overtime Pay**

Currently PVAs' budgets are not funded for any overtime costs. Any compensatory and/or overtime incurred will be billed to the county and the PVA must submit reimbursement to the PVA Administrative Support Branch.

If compensatory time is accrued, an employee must use those hours first, before taking annual leave. A PVA is responsible for knowing if ETS-PVA is carrying a compensatory time balance for a deputy.

The first step in determining how to handle compensatory or overtime issues involves classifying a position as either "non-exempt" or "exempt" in accordance with the Federal Fair Labor Standards Act.

#### **Non-Exempt Employees**

If a position is NOT an executive, administrative, or professional job in accordance with the established guidelines and the job is paid on a salaried - not hourly - basis, the position is considered to be "non-exempt". These positions will earn compensatory leave time for any hours worked beyond the standard 37.50 hour work week until forty hours are worked. An employee in a "non-exempt" position is entitled to receive time and a half for each hour worked over forty in a workweek. The employee has the option of being paid for the extra hours or he or she may choose to receive compensatory time. This election can be changed by the employee every six months.

If the employee is paid by the hour or is a part-time employee working less than 100 hours per month, they will be paid for the hours worked up to forty hours per week. For work time in excess of forty in a week, these employees also have the option of being paid at one and a half times their regular rate of pay or earning one and a half hours of compensatory leave for each hour worked over forty. This election can also be changed by the employee every six months.

#### **Exempt Employees**

If a position is considered an executive, administrative, or professional job, employees in these positions are considered "exempt" under the

federal guidelines. Typical PVA office employees that would fall into this category include the Chief Deputy and Chief of Staff. Employees in exempt positions are entitled to compensatory leave time for all hours worked in excess of their regular work schedule.

**D. Sick Leave (NOTE: No Leave Balance can be restored prior to 1988)**

1. Each full-time or seasonal employee, excluding the PVA, shall earn sick leave with pay at the rate of 7.50 hours for each month of service. An employee must have worked 100 hours or more per month to accrue time. Sick leave accrues at the end of the month but cannot be used until the first day of the following month.
2. Full time employees completing ten (10) years of total service with the state shall be credited with ten (10) additional days of sick leave upon the first day of the month following the completion of ten (10) years of service.
3. Full time employees completing twenty (20) years of total service with the state shall be credited with ten (10) additional days of sick leave upon the first day of the month following the completion of (20) years of service.
4. Sick leave may be accrued with no maximum on the amount of time accumulated.
5. Sick leave shall accrue only when an employee is working or on authorized leave with pay. Sick leave shall not accrue when an employee is on educational leave with pay.
6. A PVA shall grant accrued sick leave with pay when an employee:
  - a. Receives medical, dental or optical examination or treatment;
  - b. Is disabled by sickness or injury;
  - c. Is required to care for sick or injured members of the immediate family for a reasonable period of time;
  - d. Would jeopardize the health of others because of exposure to a contagious disease;
  - e. Has lost by death a parent, child, brother or sister, or the spouse of any of them, or any person related by blood or affinity, with a similarly close association. Leave under this subparagraph is limited to five days or a reasonable extension at the discretion of the PVA. An employee may also qualify for FMLA & Donated Sick Leave.
7. Upon returning to work following sick leave with pay, the appointing authority shall reinstate the employee to his or her former position.
8. A PVA may grant sick leave without pay for so long as an employee is disabled by sickness or illness and the total continuous leave does not

exceed one (1) year. At the termination of sick leave without pay, the appointing authority shall reinstate the employee.

9. Absence for a fraction or part of a day that is chargeable to sick leave shall be charged in ¼ hour (15 minute) increments.
10. Employees shall be credited for accumulated sick leave when separated by proper resignation, layoff, retirement or leave without pay. The employee's amount of accumulated sick leave shall be listed in the remarks section of the separation form. Former employees who are reinstated or re-employed may have their accumulated and unused sick leave balances reinstated after sixty (60) days of work. A memo must accompany the RPA requesting to have the time restored.
11. In cases of absence due to illness or injury for which workers' compensation benefits are received for lost time, sick leave may be utilized to the extent of the differences between such benefits and the employee's regular salary. (Refer to Workers' Compensation Manual).
12. A PVA may allow a full-time employee whose employment status was changed to a part-time employee without any break in service to use any annual, sick or comp time leave balance that was not exhausted and/or formally requested as separation pay.
13. Maternity Leave: See Family Medical Leave Act (FMLA) Section.
14. Application for Sick Leave: An employee shall file an application for sick leave with pay within a reasonable time. Except in cases of emergency illness, an employee shall request advanced approval for sick leave for medical, dental or optical examination, and for sick leave without pay. In all cases of illness, an employee is obligated to notify his immediate supervisor or other designated person. Failure to do so in a reasonable period of time may be cause for denial of sick leave for the period of absence. A PVA may request to have an employee's name listed on the Cabinet's Intranet site for donated sick leave once the request has been approved by the PVA Administrative Support.
15. Supporting Evidence
  - (a) An appointing authority shall grant sick leave when the application is supported by acceptable evidence. A supervisor's or employee's certificate may be accepted, but a medical certificate may be required, signed by a licensed practitioner and certifying to the incapacity, examination, or treatment;
  - (b) An appointing authority may place on sick leave an employee whose health might be jeopardized by his/her job duties or whose health might jeopardize others, and who, on request, fails to produce a satisfactory medical certificate.
  - (c) PVAs are eligible to donate sick or annual leave only if they were previously a deputy and have leave remaining.

Upon termination of employment, employees shall not be paid for accumulated sick leave. Instead, the sick leave balance may be added as service credit for the purpose of determining retirement benefits. Any state employee hired on or after September 1, 2008, will only be credited up to twelve (12) months of sick leave upon retirement.

#### **E. Family Medical Leave (FMLA) (101:KAR 2:100)**

The Family and Medical Leave Act of 1993 (FMLA) requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. Unpaid leave must be granted for any of the following reasons:

1. To care for the employee's child after birth, or after placement of a child with an employee for adoption or foster care;
2. To care for the employee's spouse, child or parent who has a serious health condition;
3. For a serious health condition that makes the employee unable to perform his/her job duties.

**NOTE:** All agencies are advised of amendments to the federal Family and Medical Leave Act (FMLA) 29 U.S.C. 2601, et. Seq., which became effective on January 28, 2008. This amendment provides for FMLA leave due to a "qualifying exigency (urgent demand) arising out of a covered family member's active duty (or call to active duty) status." Eligible employees are entitled to up to 12 weeks of leave because of "any qualifying exigency" arising out of the fact that the spouse, son, daughter, or parent of the employee is on Active Duty, or has been notified of an impending call to Active Duty status, in support of a contingency operation.

**New Leave Entitlement:** An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12- month period of time to care for the service member. This military caregiver leave is available during "a single 12-month period" during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

#### **Job Benefits and Protection**

1. For the duration of FMLA leave, the employer must maintain the employer portion of the employee's health coverage under any "group health plan".
2. Returning from FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

## **Employee Eligibility**

1. Employee is eligible if he/she has worked for a covered employer for at least one year and has worked 1,250 hours during that year.
2. Employee must exhaust all of their time before they are placed on FMLA. Employee may request in writing to retain ten (10) days of sick leave.
3. Advance notice and medical certification are needed for FMLA.

## **Advance Notice and Medical Certification:**

1. The employee ordinarily must provide 30 days advance notice when the leave is "foreseeable".
2. An employer may require medical certification to support a request for leave because of a serious condition and may require second or third opinions (at the employer's expense) and a fitness for duty report to return to work.

## **F. Court Leave**

An employee shall be entitled to a leave of absence from duties, without loss of time or pay for that amount of time necessary to comply with subpoenas by any court, federal, state or political subdivision thereof, to serve as a juror or witness. This leave shall include necessary travel time. If relieved from duty as a juror or witness during normal working hours, the employee shall return to work. An exception to this policy is where the employee or a member of his or her family is a party plaintiff in court action, then personal leave time must be used.

## **G. Military Leave**

Upon request, an employee who is an active member of the United States Army Reserve, the United States Air Force Reserve, the United States Naval Reserve, the United States Marine Corps Reserve, the United States Coast Guard Reserve, the United States Public Health Service Reserve, or the Kentucky National Guard shall be relieved from the civil duties, to serve under order of training duty without loss of the regular compensation for a period not to exceed the number of working days specified in KRS 61.394 for a federal fiscal year.

- (1) The absence shall not be charged to leave.
- (2) Absence that exceeds the number of working days specified in KRS 61.394 for a federal fiscal year shall be charged to annual leave, compensatory leave or leave without pay.
- (3) The appointing authority may require a copy of the orders requiring the attendance of the employee before granting military leave.

- (4) An appointing authority shall grant an employee entering military duty a leave of absence without pay for the period of the duty not to exceed six (6) years. However, in a time of war or national state of emergency, the employee retains these rights for the duration of the time of war or national emergency plus six (6) months.

Upon receiving military duty leave of absence, all accumulated annual and compensatory leave shall be paid in a lump sum, if requested by the employee.

### **Spousal Military Leave**

Any state employee who is the spouse of an active member of the United States Army Reserve, the United State Naval Reserve, the United States Marine Corps Reserve, the United States Coast Guard Reserve, and the United States Public Health National Guard, who is called upon to serve under Federal orders (deployment) shall be granted one day paid leave prior to deployment and upon return from deployment, per federal fiscal year (October–September). Your appointing authority may require you to present a copy of your spouse’s military orders prior to approving the use of this leave.

### **H. Voting Leave**

Appointing authorities shall allow all **active** employees ample time to vote, not to exceed the allowed time pursuant to KRS 118.035. Prior approval must be requested from the PVA for in-person and absentee voting. Such absence shall not be charged against leave. Employee must vote to receive leave time.

Employees who are permitted to work in lieu of taking voting leave shall receive four (4) hours of compensatory leave. The PVA Administrative Support Branch must be notified in advance, if this takes place.

### **I. Educational Leave**

A PVA may grant a leave of absence for assignment to and attendance at a college, university, or business school for the purpose of training in subjects related to work of the employee which will benefit the PVA office and the department.

### **J. Adoptive Leave and Benefits Program**

The PVA Budget Committee annually sets aside an amount to fund the Adoption Reimbursement Benefit Program. This reimbursement is processed on a first-come first-served basis and is contingent on the availability of funds. Due to the employment classification of the deputies, being unclassified, non P-1, non-merit state employees, the PVA Administrative Support Branch will administer the “Adoption Reimbursement Benefit Program” which will provide financial assistance to the PVAs and deputies.

Under 101 KAR 2:120 (Section 2) the Adoption Reimbursement Benefit Program provides up to \$5,000 per family for direct costs related to the adoption of a special needs child, and up to \$3,000 for any other child adoption.

#### **K. Life Insurance**

Employees who are contributing members to one of the state administered retirement systems receive a life insurance policy for which the Commonwealth pays the premium. Coverage is effective the first day of the second month following the date of appointment.

Employees receive a \$20,000 policy. Each employee can purchase additional insurance when initially hired, during open enrollment or with any salary adjustment by applying within thirty (30) days. If employment terminates, or the employee retires or is deceased, it is very important to contact the PVA Administrative Support Branch to receive information regarding the conversion privileges by which coverage could continue. The life insurance company may change due to the State price contract. The PVA Administrative Support Branch will have the current information.

#### **L. Health Insurance**

Employees who are contributing members to the state administered retirement system receive health insurance coverage. Employees must sign up within thirty (30) days of employment. If you do not elect a plan within the timeframe, you will be automatically enrolled in the Standard CDHP, single coverage level plan for the plan year.

Coverage becomes effective the first day of the second month following the date of appointment. It is the responsibility of each employee to make an insurance choice. To waive health insurance coverage, the employee must sign a waiver. Once a waiver is signed or the employee has been enrolled in one of the insurance plans, the employee is obligated to this plan for one year (until next open enrollment), unless a qualifying event exists. Coverage ends on the last day of the pay period (1-15 or 16-end of the month of termination).

**NOTE:** State retirees who return to work in an agency that participates in the Public Employee Health Insurance Program must choose to participate through the Kentucky Retirement System or the Public Employee Health Insurance Program. They must waive coverage with one of the agencies and are not eligible to direct the money into the Commonwealth Choice Medical Spending Account. As a result of legislation passed in 2003, all KTRS retired members are required to WAIVE the Health Insurance coverage through the Kentucky Teachers' Retirement System and sign up with the active agency.

**\*See the Appendix for the Health Insurance Handbooks and Application.**



## **M. HIPAA**

An additional protection for your health information, HIPAA (Health Insurance Portability and Accountability Act) was signed into law on August 21, 1996, but the privacy rule portion became effective April 14, 2003.

HIPAA is comprised of several components aimed at reducing paperwork, improving efficiency of health systems and ensuring protection of confidentiality of health care information.

## **N. Workers' Compensation**

All employees are covered by Workers' Compensation Insurance in accordance with the Kentucky Workers' Compensation Law. Payments under this law are for both losses of time and medical expenses resulting from personal injuries which arise out of and in the course of employment.

Medical expenses are normally paid in full, while payments for loss of time are based on a percentage of an employee's salary within certain minimum and maximum limits. When the employee elects to use their sick leave and receive their regular pay check all Workers' Compensation checks must be endorsed and returned to the PVA Administrative Support Branch. Upon receipt the used leave will be reinstated.

When an employee is injured on the job, please follow these procedures:

- The employee should let his/her supervisor know as soon as possible.
- The supervisor needs to fill out a First Report of Injury form, which can be completed one of two ways:
  - 1) Print the blank form and call it in to the Workers' Compensation Branch at the Personnel Cabinet at 502-564-2226; or
  - 2) Complete the online form at the following web link: <https://personnel.ky.gov/Pages/Workerscomp.aspx> and follow the instructions for submitting the report.

**NOTE:** This must be completed within three (3) working days following the injury and submitted to the Personnel Cabinet, Workers' Compensation Branch, as described above.

\*Before going to the doctor the employee must call Concentra at 1-866-361-6899 to get approval. This does not apply if the employee goes immediately to the emergency room.

- The supervisor also needs to complete a Sick Leave form AND a Medical Waiver and Consent form. Both forms must be filled out in every case even if the employee did not seek medical treatment or has not been off work. Once completed and signed by the employee and

witness, please send these forms to the PVA Administrative Support Branch.

- If the employee is off work due to the injury, the supervisor needs to complete a Lost Time and Return to Work form. This pertains to full work days only and does not include the day of the injury. You will need to fill out the "*date loss of work began*" line and leave the "*date injured returned to work*" line blank. Upon the employee's return to work, you will need to fill out another form with the return date on it.
- Under Worker's Compensation law an employee has to be off seven full calendar days and income benefits begin on the eighth day. The employee has to miss a total of fifteen calendar days before the first seven days are paid. The time off has to be certified by a doctor and is only for full days missed. Partial days off are not eligible for Worker's Comp income.

For more information regarding workers' compensation benefits, go to the Personnel Cabinet's Workers' Compensation website.

The entire program for Workers' Compensation is paid by state government. The Workers' Compensation Poster must be posted in the PVA Office in a central location.

## **O. Flexible Benefits**

Under the state's flexible benefits plan, the employee has the option of paying for any health insurance premiums with pre-tax dollars by using the Flexible Medical Spending Account (FSA). They may also elect to pay day care expenses on a pre-tax basis by contributing to a Dependent Day Care Account (DCA).

An employee utilizing either of these flexible benefit plans will have the appropriate amounts deducted on a "pre tax" basis unless they sign a waiver during the annual open enrollment period or within thirty (30) days following their employment. If the waiver option is not chosen during those times the employee will have to wait until the next open enrollment period before a change can be made.

## **P. Health Reimbursement Account (HRA)**

If an employee waives insurance coverage (i.e. employee is covered under spouse's policy) they may enroll in a Health Reimbursement Account. \$175 will be deposited each month in a HRA account to be used by the employee or employee's family members for approved medical expenses not covered by insurance. If the HRA option is chosen, you may be able to change your current election and make a new election mid-year if you experience an eligible qualifying event. Most qualifying events that allow you to make a change in your Health Insurance may now permit you to make a change in your Health Reimbursement Account.

**Note:** Once an employee has signed a waiver, the plan is legally binding and irrevocable, except for the following conditions that relate to a change in family status:

- \* Marriage
- \* Divorce
- \* Death of Spouse or Child
- \* Birth or Adoption of Child
- \* Termination of Spouse's Employment
- \* Dependent becomes of age 26

## **Q. COBRA**

Initial COBRA information is sent to all new full-time employees upon approval of employment from Wageworks.

If an employee leaves state employment, his/her insurance expires on the last day of the pay period of termination. The employee may remain on the state health insurance group plan for a limited time by paying the total amount of the premium and administrative cost to the health insurance carrier. To be eligible for this benefit, the employee must not be eligible for other group insurance or entitled to Medicare.

The employee's right to continue health insurance coverage at special group rates, by personally paying the full premium, is assured under federal law (the Consolidated Omnibus Budget Reconciliation Act of 1985 or COBRA). This law requires that the employer notifies the employee and any eligible dependents in writing about eligibility for continued group health insurance. The employee has the responsibility to notify the employer when the employee or any eligible dependents become entitled to COBRA.

1. If an employee resigns, retires, terminates (except for gross misconduct) or has an hourly reduction, (from full-time to part-time) they can continue health insurance coverage for 18 months, beginning with the date of the qualifying event.
2. If an individual is the spouse or dependent of a deceased, divorced, separated or Medicare eligible employee, the individual can continue health insurance coverage for 36 months, beginning with the date of the qualifying event. It is the individual or the dependent's responsibility to notify the health group administrator within thirty (30) days of the qualifying event when and if these qualifying events occur: divorce, legal separation or dependent child is no longer an eligible dependent. The individual or the eligible dependent has the responsibility to file the application provided by the employer within sixty (60) days of loss of insurance coverage. After that, the individual will be responsible for making all premium payments on time directly to the insurance company.

## **R. Retirement**

To be eligible for the Kentucky Employees Retirement System (KERS), the employee must work an average of 100 or more hours per calendar or fiscal year. Permanent full-time employees will automatically contribute to the retirement system.

Effective September 1, 2008, all new employees' monthly contribution to the retirement system is six percent (6%) of their gross salary. Five percent (5%) of the employee's salary goes to employee's retirement account and one percent (1%) goes into a Retirement Insurance Fund account that cannot be withdrawn if the employee leaves State Government. For the latest information on employee benefits through the State's retirement system please refer to the KERS website at [www.kyret.com](http://www.kyret.com).

Employees who were previously employed by KERS or CERS agencies may be eligible for previous retirement benefits if they did not cash out their KERS or CERS retirement. If retirement benefits were cashed out, the employee is considered a new employee with retirement benefits under the current plan available for new hires. It may be possible for the returning employee to "buy back" their retirement, qualifying them as a returning employee.

Refer to [www.kyret.com](http://www.kyret.com) for the current state (Employer) contribution percentage based upon each employee's base salary towards the retirement pension. Retirement funds are not taxable until the employee receives the retirement benefits.

The extent of the employee's beneficiary's benefits will depend upon length of service to the state and contributing wages. Generally, the employee must have worked for the state at least five (5) years (Vested) to collect retirement benefits. Kentucky Employees Retirement Systems (KERS) can be reached at 1-502-696-8800 or by writing to KERS, Perimeter Park West, 1260 Louisville Road, Frankfort, KY 40601-6124.

## **S. Unemployment Insurance Benefits**

State employees may be eligible to receive regular and/or extended unemployment benefits. If laid off, the employee can contact the local Unemployment Insurance Office concerning eligibility to file a claim for unemployment compensation. Due to budgetary constraints, PVA office(s) may be billed for their employees' UI payments.

## **T. Social Security**

In general, employees and employers pay social security contributions, which are pooled into special trust funds. When earnings stop or are reduced because the worker retires, dies or becomes disabled, the monthly cash benefits are paid to replace part of the earnings the family

has lost.

#### **U. Sick Leave Sharing**

An employee may receive donated sick leave time after the following requirements are met by the donor and the recipient.

1. Has exhausted all accumulated sick, annual and compensatory leave balances
2. Needs to be off for at least (10) consecutive working days
3. Has a written certificate from a licensed, practicing physician or Advanced Practice Registered Nurse.
4. Donated leave is to be used for the employee or to care for a member of his/her immediate family per KRS 18A.196.
5. Donor must have and maintain a balance of at least 75 hours of sick leave to be eligible to donate and must be an active employee (including PVAs who have prior leave balances), within the State Personnel Payroll System. Refer to KRS 18A.197 for more details.

#### **V. Annual Leave Sharing**

1. An employee who has accrued an annual leave balance of more than seventy-five (75) hours may request the PVA for which the employee works, makes available for transfer a specified amount of his or her annual leave balance to another named employee authorized to receive leave under subsection (2) of this section.
2. A PVA may permit an employee of the agency to receive leave under this section if:
  - a. The employee suffers from catastrophic loss to his or her personal property, due to either a natural disaster or fire, that either has caused or will likely cause the employee to go on leave for at least ten (10) consecutive working days;
  - b. The employee has exhausted accumulated annual leave and compensatory leave balances; and
  - c. The employee has complied with administrative regulations governing the use of annual leave.
3. The PVA shall determine the amount of leave, if any, that an employee within his or her agency may receive under subsection (2) of this section. Transfers of leave shall not exceed the amount requested by the recipient.
4. Leave may be transferred from an employee of one agency to an employee within the same agency or another state agency.

5. Any leave transferred under this section that remains unused shall be returned to the donor.

**NOTE:** Requests for donated leave must be in writing to the PVA Administrative Support Branch. Any request for donated leave can be posted only on the FAC-Intranet and/or DOR AVIS after approval is received.

#### **W. Blood Leave**

1. An employee who, during regular working hours, donates whole blood at a licensed blood center certified by the Food and Drug Administration shall receive four (4) hours leave time, with pay, for the purpose of donating and recuperating from donating blood.
2. Leave granted under this section shall be used at the time of the donation.
3. An employee who is deferred from donating blood:
  - a. Shall not be charged leave time for the time spent attempting to donate blood; and
  - b. Shall not qualify for the remainder of the blood donation leave.

#### **X. Safe Office Environment**

The FAC-DOR is committed to being proactive to assure that state employees work in a safe and drug-free environment. The office employees and the public should not be subjected to discrimination and/or harassing behavior(s) (i.e. employment and sexual). It is very important that everyone understands the acceptable behaviors for the office environment. If a complaint is filed, treat it seriously, investigate the complaint thoroughly and take action promptly.

The Commonwealth also assures people with disabilities are included in all aspects of employment. The Americans With Disabilities Act of 1990 (ADA) and the Kentucky Civil Rights Act provide for reasonable accommodation for qualified applicant or employee with a disability. **Therefore, the ultimate responsibility of the PVA is to establish a fair workplace and set behavior standards for the office.**

#### **Y. Adverse Weather Leave**

1. An employee who is not designated for mandatory operations and chooses not to report to work or chooses to leave early in the event of 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 have been exhausted; or deferred in accordance with subsections of KRS.

2. If operational needs allow, except for an employee in mandatory operations, management shall make every reasonable effort to arrange schedules whereby an employee will be given an opportunity to make up time not worked rather than charging it to leave.
  - a. An employee shall not make up work if the work would result in the employee working more than forty (40) hours in a workweek.
  - b. Time lost shall be made up within four (4) months (or 123 days) of the occurrence of the absence. If it is not made up within four (4) months (or 123 days), annual or compensatory leave shall be deducted to cover the absence, or leave without pay shall be charged if no annual or compensatory leave is available. KHRIS will automatically make this deduction.
  - c. If an employee transfers or separates from employment before the leave is made up, the leave shall be charged to annual or compensatory leave or deducted from the final paycheck.
3. 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 shutdown of the place of employment, the following provisions shall apply:
  - a. An employee who is required to evacuate or who would report to a location that has been shutdown 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 the Fair Labor Standards Act.
5. The County Judge Executive may direct the Courthouse closed for bad weather. If this occurs, the PVA must complete and sign an "Office Closing Form". The County Judge Executive's order and Office Closing Form is attached to the timesheet and reported as "CLOS" in ETS-PVA timekeeping. Employee shall not be required to make up time lost.

## **Z. Other Employee Benefits**

\*Credit Unions: As a state employee, you may join the Commonwealth Credit Union or the Kentucky Employees Credit Union. Each offers a wide range of financial services.

\*Deferred Compensation: All state government employees may participate in Deferred Compensation Authority program. The program defers "pre-tax" income from annual compensation and defers toward retirement.

\*Kentucky Employee Assistance Program (KEAP): The Kentucky Employee Assistance Program is dedicated to helping employees find

solutions to personal problems that may hinder their effectiveness at work.

\*Kentucky Human Resources Information System Employee Self-Service (KHRIS-ESS): This system allows employees to view their payroll check and other relevant information via the internet.

\*Dental Insurance: Information about this benefit will be provided by the Personnel Cabinet on an annual basis.



## CHAPTER IV

### FUNDING OF THE PVA OFFICE

#### SECTION I

The PVA office is funded from both state and local sources. When local funds are deposited to the PVA office account, they become PVA state funds. These funds are controlled by the elected PVA for use in operating the PVA office. The PVA is fully responsible for the management of the PVA funds and is subject to the restrictions set forth in KRS 132.601(3) and local county procurement procedures. However, after approval of the annual budget for the PVA office by the Department of Revenue, expenditures shall not be questioned by the Fiscal Court.

##### **A. State Funding Sources**

The PVA state appropriation amount is set by the General Assembly to be used for personnel expenditures. The PVA personnel expenditures includes the PVA salary, PVA expense allowance, PVA and deputy educational awards, deputy salaries and all related fringe benefits.

1. The PVA salary is funded entirely from state funds. In addition to the base salary, the annual CPI increment, all payroll withholding taxes, Retirement, Insurance, and Workers' Compensation are provided in the PVA budget.
2. The PVA Monthly Expense allowance and the Annual Education Incentives are funded from state funds, including all related fringe benefits that apply to the PVA salary.
3. Deputy salaries are primarily funded from the state appropriation. Related fringe benefits, such as annual increments, six (6) months salary adjustment (SMSA), reclassification, promotions, FICA, Federal, State, and Local Taxes, Retirement, Insurance, Workers' Compensation and Unemployment Insurance are typically provided from the state appropriation. In the event of a budget shortfall, local funding may be used to offset the salaries and fringe benefits shortage upon approval of the PVA/DOR Budget Committee.

##### **B. County Funding Source**

1. The county fiscal court is required to appropriate annually, its cost for use of the county assessment. This amount is determined by a computation that is set forth in KRS 132.590 and results in a preliminary total due to the PVA office. The calculations for various assessment levels are as follows:

<http://revenue.ky.gov/PVAnetwork/pvaadsup.htm>

**ASSESSMENT SUBJECT TO COUNTY TAX OF:**

<u>At least</u>	<u>But Less Than</u>	
_____	\$100,000,000	\$ .005 for each \$100 of the first \$ 50,000,000 and \$ .002 for each \$100 over \$50,000,000.
\$100,000,000	\$150,000,000	\$ .004 for each \$100 of the first \$100,000,000 and \$ .002 for each \$100 over \$100,000,000.
\$150,000,000	\$300,000,000	\$ .004 for each \$100 of the first \$150,000,000 and \$ .003 for each \$100 over \$150,000,000.
\$300,000,000	_____	\$ .004 for each \$100.

However, the preliminary total amount to be appropriated as determined by the formula above may not exceed the amounts set forth in the following table that is contained in another section of the statute. These limits are as follows:

**Assessed Valued of Property Subject to County Tax of:**

<u>At Least</u>	<u>But Less Than</u>	<u>Limit</u>
-----	\$ 700,000,000	\$ 25,000
700,000,000	1,000,000,000	35,000
1,000,000,000	2,000,000,000	50,000
2,000,000,000	2,500,000,000	75,000
2,500,000,000	5,000,000,000	100,000
5,000,000,000	_____	175,000

The assessed value to be used in the calculation of the county allowance includes the taxable assessment only. The homestead exemptions and the deferred agricultural assessments are not included in the total. Also not included are tangible property assessments which are only taxable by the state. In summary, only the amount of assessment upon which county taxes are levied may be included in this calculation.

**Example Calculation**

Total taxable assessment from certification	\$762,110,000
Minus state rate only assessments	- \$ 81,042,000
Total assessment subject to county tax	\$681,068,000

Since the assessed value subject to county taxation exceeds \$300,000,000, the assessment is multiplied by .004 per \$100 (or .00004) to arrive at the preliminary total the fiscal court would need to pay the PVA office.

$$\$681,068,000 \times .00004 = \$27,242.72$$

However, you have to review the second table contained in the statute to see if the preliminary total is subject to any limitations. Using that table, since the assessed value is less than \$700,000,000, then the most a fiscal court has to pay to a PVA office is \$25,000. Therefore, in this example, the fiscal court would fund the PVA office in the amount of \$25,000 instead of the preliminary total of \$27,424.72.

The PVA shall file a claim with the county no later than August 1 for the amount of the appropriation specified in his or her approved budget for compensation of deputies and assistants (deputy hire billing). The amount requested shall be paid by the county to the State Treasury by September 1, or paid to the PVA and submitted to the State Treasury by September 1. The county shall pay the remaining appropriations due the PVA on a quarterly basis.

### **Use of Local Funds**

These funds may be used, upon approval of the annual budget, for deputy salaries, supplies, maps, equipment, travel expenses for the PVA or deputies and other authorized expenses of the office.

Per KRS 132.410(1) - The county must bear the expense related to providing facilities for the PVA office. If county government has to pay rent for this required space, the rental payments are not to be deducted from the statutory allowance.

At the end of each fiscal year, a PVA may retain a cumulative carryover of local funds equivalent to the total annual local appropriation for the ending fiscal year or five thousand dollars (\$5,000), whichever is greater. Any funds in excess of this amount shall be refunded by the PVA no later than August 1 to the appropriating local governments in direct proportion to their respective appropriations.

### **2. Notification of PVA Appropriation to Fiscal Court**

Three step process:

- a. Estimated Appropriation Letter - An estimate of the PVA office expected appropriation for the new fiscal year is provided to the county fiscal court for use in the county budget procedure. This estimate is based upon the prior year's appropriation, plus an expected percentage increase. The estimate letter includes

additional obligations above the statutory appropriation, such as inspection period advertisement, fall conference expense of \$300 paid by the county and telephone service if service is not provided by the county.

**NOTE:** A reminder is usually sent to PVAs in early March allowing the opportunity to make any adjustments to the telephone expense and inspection period advertisement expense, via MOTAX and email.

- b. Certified Appropriation - Upon assessment certification of a county, personnel in the Education and Compliance Branch provide the PVA Administrative Support Branch with the calculation of the PVA office appropriation.
- c. Final Appropriation Letter - The Final Appropriation is provided to the County Judge/Executive or Mayor, the PVA, and the Office of Local Government through a Final Appropriation letter. Any changes to the certified assessment of a county, city funds compensation and urban governments must be amended through a process of an updated final letter to all the above parties.

### **C. City Funds**

Any city that chooses to use the county assessment on property within its jurisdiction shall pay for use of the tax roll as prescribed by KRS 132.285. The fee for this service is one-half of one cent (.005) per one hundred dollars of assessment, provided that the total fee shall not be less than two hundred fifty dollars nor more than forty thousand dollars in cities having an assessment subject to city tax of less than two billion dollars or fifty thousand dollars in cities having an assessment subject to city tax of more than two billion.

The assessment amount is derived from office data coded by district and includes only the assessments subject to the city tax rate.

#### Example calculation:

The taxable assessment of a city is determined to be one hundred sixty-seven million dollars.

$$167,000,000 \times .005 \text{ divided by } 100 = \$8,350$$

The city would owe the amount of \$8,350 for use of the PVA generated valuations of city property.

#### **D. Urban Governments (Fayette and Jefferson Counties)**

Merged city-county governments have all the rights and restrictions of the statutes applicable to county governments.

Per KRS 132.590(14) the annual appropriation is an amount equal to the combined amounts determined by the formula for a city and county using the county-wide assessment in the county formula and the assessment that is subject to full urban services only in the city formula.

However, the total appropriation shall not exceed \$100,000 when the assessment subject to county-wide tax is less than three billion, \$125,000 when the assessment is between three and five billion, and \$200,000 when the assessment is in excess of five billion.

#### **E. Other Fund Sources**

The PVA office may receive funds from sources other than the county and city. These funds include:

1. Interest Income - Interest earned on accumulated PVA funds.
2. Tax Bill Printing Income - Charges to the county clerk for printing tax bills.
3. Miscellaneous Income - Miscellaneous charges for copies, sale of tax roll and maps, web site income, etc. (Fee Schedule-KRS 133.047(4)).

All Other Fund Sources must be deposited in PVA fund accounts and accounted for in the PVA budget.

#### **F. Carry-over Funds (KRS 132.601 (2))**

All unexpended PVA office funds are considered carry-over funds to the next fiscal year. The county and city portions of the carry-over are subject to restrictions based on KRS 132.601. The PVA office is allowed to carry-over funds equivalent to the total annual local appropriation for the ending fiscal year or five thousand dollars (\$5,000), whichever is greater.

The local appropriation limitation is determined by using the January 1 certified appropriation from the prior calendar year. This date is used because the certified assessment for January 1 is not applied for appropriation purposes until the following fiscal year. Funds in excess of this limitation must be refunded no later than August 1 of the current fiscal year to the appropriating local governments in direct proportion to their respective appropriations.

Other carry-over funds (i.e. Misc.), if separately accounted for, may be retained in full and/or not subjected to statutory carry-over limitation when calculating the Annual "Base Billing/Local Deputy Hire". Therefore, it is highly recommended that the PVA offices have two (2) separate accounts and/or ledgers for County & City receipts and Miscellaneous Income.

**Chapter IV**  
**BUDGET PROCESS**  
**SECTION II**

**A. General Requirements**

The PVA office budget document governs the use of all PVA office funds. The PVA office shall submit for approval by June 1 of each year a budget request document to the PVA Administrative Support Branch. The Annual Vehicle Data Form must be completed and accompany the budget request document. The PVA budget request document categorizes the estimated fund sources and expenditures for the new fiscal year. Once the Branch receives the request document, a review of the budgeted accounts and balancing of funds to expenditures is carried out.

If a budget detailing your office's anticipated receipts is not received by June 1 then the upcoming fiscal year's deputy hire and short fall billings will be based upon the previous year's budget or recalculated using the current year's budget, whichever is **higher**.

The funds to expenditures must balance before a PVA's budget can be approved. PVA Administrative Support personnel strive to approve all balanced budgets by July 1 of each year. If a budget is out of balance, it will be returned as an "Unbalanced Budget" and approval will be delayed until the issue is resolved with the PVA. No funds can be spent without an approved budget.

Expenditures from the PVA office fund should be reasonable and necessary for the PVA office. Guidelines are established through the respective county procurement codes and procedures and/or, if chosen, the state procurement procedures. The PVA office funds are subject to the Auditor of Public Accounts (APA) Agreed Upon Procedures (AUP) audit. The PVA Administrative Support Branch is responsible for allocation of the state appropriation for deputy salaries and provides assistance to the PVA in determining reasonable and necessary expenditures. See the "PVA Office Allowable Expenditures" in the Appendix.

**B. Budget Amendment**

The PVA office is required to amend the original approved budget document when expenditures in an account series exceed the budgeted amount or if funding levels have changed. Over spending in a particular expense account category should be noted in the PVA office records but an official budget amendment is not necessary. Changes in fund source categories should be amended to reflect major fund source differences and an amended budget submitted for approval.

All budget amendments should be requested upon recognition of the actual expenditure or fund source changes. All amendment requests must be received before July 15th for the previous fiscal year ending June 30<sup>th</sup> and must reflect current fiscal year expenditures or incurred contracts and include the reason for the amendment.

### **C. State Appropriation**

The state appropriation is used for PVA and deputy salary expenses. The allocation of personnel in the PVA offices is based on the work unit concept as established by the U.S. Census. Per KRS 132.590(6), each property valuation administrator's office shall be allowed as a minimum such funds that are required to meet the federal minimum wage requirements for two (2) full time deputies, including annual increments, when applicable. See more details about staffing in Section E below.

The PVA Administrative Support Branch prepares a projection of salaries and fringe benefits for all PVA office personnel. The base salaries of the PVA and PVA deputies are projected, including annual increments, FICA, Retirement and the state-paid portion of medical insurance, for the following fiscal year. Each PVA's projected expense allowance is also included. In addition, all general budget contingencies, such as workers' compensation and unemployment compensation are projected for the state appropriation.

### **D. Local Deputy Hire/Base Billing/Shortfall**

#### Deputy Hire Billing:

The local billing for deputy hire expenses is projected for each PVA office. Local Deputy Hire/Base billing is necessary due to the excess of PVA office personnel expenses over the budgeted PVA state appropriation, enacted by the General Assembly. The DOR/PVA Budget Committee has initiated a formula approach to deputy hire billing for each PVA office. This formula is derived, usually in May of each year, based on Anticipated Local Receipts and carryover balances at the end of the fiscal year. The amount requested should be paid by the county into the State Treasury or to the PVA Office by September 1, per KRS 132.590 (11). If the PVA receives the funds for the local deputy hire base billing, quarterly payments should be made on or before September 1, December 1, March 1, and June 1 respectively to the Branch.

#### Shortfall Billing:

Due to budgetary constraints, PVA offices – with exceptions made for smaller counties – are currently assessed a shortfall billing. Counties subject to this billing will be sent quarterly statements and all receipts are deposited into the PVA Offices' Restricted Funds account for use in covering the General Fund shortfall. The formula used to compute each PVA office's share of the overall budget shortfall is developed by the DOR



/ PVA Budget Committee and then presented to the PVA Association at the annual summer conference for a vote.

A credit for vacancies not filled in the PVA office can be utilized to offset all or part of an office's shortfall billing. A vacancy must exist for a minimum of one month after the 90 day hiring delay time period has been observed. To request a vacancy credit, a "County Action Plan for Shortfall" form must be completed and a member of the DOR / PVA Budget Committee will compute the vacancy credit and the office's shortfall billing will adjust accordingly

#### **E. Work Units/Parcel Count**

By statute, PVA office staff is supposed to be allocated by comparative work units as determined from objective information obtained from the United States Bureau of the Census. However, the General Assembly has not funded the PVA offices in accordance with this method. In response, a Formula for Allocating Deputies (FAD) has been adopted to determine the number of employees to which each PVA office is entitled. If a PVA has any questions about the current number of deputies currently allocated to his or her office, please contact the PVA Administrative Support Branch.

#### **F. Local Additional Billing for Deputy "OX" Hire**

A PVA may hire more employee(s) than allowed if these employees are paid for with local funds. The PVA Administrative Support Branch will bill the PVA office for Salary, FICA, Health and Life Insurances, and Retirement for a full-time employee. Part-time employees are billed only for the applicable benefits' expenses.

Billings are done on a quarterly basis, unless it is a new hire. All new hires will be billed in advance and payment is due upon receipt before a new hire is placed on payroll. A PVA can also be billed when a seasonal does not come off payroll on the applicable end date.

A PVA can request to pay for an employee for the 90 day hiring delay from local funds (i.e., all salary, FICA, Retirement and Health/Life Insurance). A PVA may also request to hire a new employee who qualifies to be hired at a higher grade than the vacant position, by paying the additional salary and benefits from office funds. An estimate "OX" bill can be requested from the PVA Administrative Support Branch for budgeting purposes.

The PVA budget must have enough funds in the 199 "Additional Billing for Deputy Salaries" account, before paying for the "OX" employee(s). An amended budget form may be necessary/required to pay the OX billing.

## **G. Miscellaneous Office Duties and Responsibilities**

The PVA shall submit Office Inventory, Insurance and Vehicle documents which may be subject to review by the Auditor of Public Accounts. Office Inventory should be updated annually based on purchases, surplus, and disposals. See Chapter IV Section III Budget Document/Forms on page 50 for required submission of forms.

### **Inventory:**

Each May all PVA offices will receive an Annual Physical Inventory observation sheet for Fixed Assets of \$5000 or more.

### **Insurances:**

The PVA is responsible for providing Insurance coverage on office contents, and office vehicles through an individual insurance carrier or through the state. If the PVA elects to carry State Insurance coverage, a "Request for Insurance, PVA Inventory Transmittal" form must be completed with the Office Inventory List of Office Content. If a PVA chooses to not use state insurance, it is highly recommended that you have proof of insurance on office contents from your county or local carrier.

### **Audit:**

Each PVA office is subject to the Auditor of Public Accounts' (APA) Agreed Upon Procedures audit. The PVA office will be audited at least one (1) time in a PVA term and for any out-going PVA, regardless, of the circumstances (i.e., retirement, resignation, death, loss of office, etc.)

### **Internet and Electronic Mail:**

The Commonwealth Office of Technology (COT), Enterprise Policy #CIO-060. The purpose of the Enterprise policy is to define and outline acceptable use of the Internet and Electronic mail (E-mail) resources in state government. This policy requires all agencies and employees and other users to comply with the acceptable use provisions.

**The PVA must request in writing for computer and e-mail authorization from the Office of Property Valuation staff, via a "Computer Access for PVA Offices" form. This form is contained in the Appendix of this manual**

**CHAPTER IV**  
**BUDGET DOCUMENTS/FORMS**  
**SECTION III**

**A. Introduction**

The PVA must be fiscally responsible and manage the taxpayer's money wisely. The PVA is required to submit a budget each year. The actual budget instructions, budget request document, "Certification of Completeness and Accuracy", Annual PVA Office Vehicle Data and Amended Budget Forms are provided in this section. Detailed descriptions of each account series and category are provided for the PVAs use. The detailed accounts should be utilized for both planning and historical purposes.

**B. Actual Budget Document**

Annual statutory budget package for one (1) Fiscal Year shall be completed and annually submitted by June 1 to the PVA Administrative Support Branch.

**NOTE:** All outside budget programs and spreadsheets must conform to the official budget package and instructions provided to the PVA offices annually in May/June by the PVA Administrative Support Branch.

[Budget Instructions](#)  
[Budget Request Document](#)  
[Certification of Completeness](#)  
[PVA Office Vehicle Data Form](#)  
[Amended Budget Form](#)

# APPENDIX



## APPENDIX MATERIAL FOR EMPLOYMENT

### PVA Hiring Checklist

These forms are available online at  
<http://revenue.ky.gov/pvanetwork/pvaadsup.htm>:

1. [Request for Personnel Action \(10A639\) on-line](#)
2. [Position Description](#)
3. [Application \(P-2\)](#)
4. [Application Update](#)
5. [Form W-4 Federal Withholding Allowance Certificate](#)
6. [Form K-4 Kentucky Withholding Exemption Certificate](#)
7. [Employment Eligibility Verification \(Form I-9\)](#)
8. [Personalized Work Schedule Agreement](#)
9. [Outside Employment Form](#)
10. [Code of Ethics Certification](#) & [Advisory Opinions](#)
11. [Kentucky Retirement Systems Membership \(Form 2001\)](#)
12. [Beneficiary Designation For Kentucky Retirement Systems \(Form 2035\)](#)
13. [Retirement Request for Pre-Determination \(Form 6480\)](#)
14. Retirement Request for Post-Determination (Form 6481)
15. [Previous Qualifying Service Certification](#)
16. [Certification of Purchasing Service Credit](#)
17. [FLSA Test](#) and [Form](#)
18. [Employee Confidentiality Acknowledgment \(Revenue\)](#)
19. [Direct Deposit Form](#)
20. [Health Insurance Applications](#)
21. [Health Insurance New Employees Checklist](#)
22. Group Life Insurance [Application](#) and [Beneficiary](#) Form
23. [Kentucky Deferred Compensation Participation Form](#)

## Other Forms Utilized by PVA Offices

These forms are available online at  
<http://revenue.ky.gov/pvenetwork/pvaadsup.htm>

[PVA Personnel Quick Reference Guide](#)

[Drug free Workplace Memorandum](#)

[Terminating and/or Retiring Employees](#)

[ADA Booklet](#)

[Adoption Assistance](#)

[PVA Office Closing Form](#)

[Commonwealth Office of Technology, Enterprise Policy](#)

[Computer Access for PVA Offices](#)

[PVA Allowable Expenditures](#)

**Sexual, [Harassment](#) and [Protected Classes Policies](#)**

[State Government Tobacco Free Policy](#)

[County Shortfall Action Plan](#)

# Job Classifications

## **GIS Mapping Technician**

### Duties:

- Maintains all mapping records
- Updates digitized and/or conventional property survey maps per survey and legal descriptions
- Designs and updates plats or digitizes new subdivisions for digital maps
- Designs new GIS maps for intra-office and public use
- Assists the public
- Other duties as required

## **GIS Mapping Technician Principal or Supervisor**

### Duties:

- Maintains all mapping records
- Updates digitized and/or conventional property survey maps per survey and legal descriptions
- Designs and updates plats or digitizes new subdivisions for digital maps
- Designs new GIS maps for intra-office and public use
- Assists the public
- Other duties as required

### Additional Supervisor Duties:

- Supervises GIS mapping technicians
- Plans and monitors work flow

## **General Deputy and General Deputy Principal**

### Duties:

- Assists in all departments of the PVA office except real estate appraisals
- Manages real and personal property records
- Performs data entry
- Assists public
- Other duties as required



## **Customer Service Representative**

Duties:

- Answers telephone calls and responds to in-person inquiries about property values, characteristics, sales and all aspects of the PVA office operations
- Assists with this use of public computer terminals where available
- Other duties as required

## **Administrative Assistant**

Duties:

- Answers telephone calls and responds to in-person inquiries about PVA office data and procedures
- Assists in maintenance of paper and digital files
- Processes exonerations
- Other duties as assigned

## **Personal Property Clerk**

Duties:

- Inputs data from tangible tax returns
- Performs personal property appraisal (Motax and boats)
- Assists public
- Answers phone calls and in-person queries
- Processes exonerations
- Other duties as assigned

## **Personal Property Clerk Principal**

Duties:

- Inputs data from tangible tax returns
- Performs personal property appraisal (Motax and boats)
- Assists public
- Answers phone calls and in-person queries
- Processes exonerations
- Other duties as assigned

## **Office Manager**

Duties:

- Maintains time and attendance records
- Controls office supply inventory
- Manages real and/or personal property records
- Assists in all departments of the PVA office as needed
- Other duties as assigned

## **Chief Administrative Assistant**

Duties:

- Prepares correspondence and scheduling for the PVA
- Maintains checking accounts
- Prepares budgets
- Organizes for audits
- Assists with public access to PVA database and GIS data
- Assists chief of staff
- Other duties as assigned

## **Real Property Assessor**

Duties:

- Performs subjective evaluations of real property
- Performs real property physical inspections as necessary
- Performs computer assisted mass appraisals (CAMA) and reviews them for accuracy and equity
- Makes single property appraisals of unique properties
- Supports defense of assessed values in informal and formal appeals
- Provides technical advice and assistance to PVA staff
- Answers public inquiries on appraisal process and about specific appraisals
- Other duties as assigned

## **Real Property Assessor Principal or Supervisor**

Duties:

- Performs subjective evaluations of real property
- Performs real property physical inspections as necessary
- Performs computer assisted mass appraisals (CAMA) and reviews them for accuracy and equity
- Makes single property appraisals of unique properties

- Supports defense of assessed values in informal and formal appeals
- Provides technical advice and assistance to PVA staff
- Answers public inquiries on appraisal process and about specific appraisals
- Other duties as assigned

Supervisor Duties:

- Assists in the development and execution of appraisal procedures
- Manages the workflow of real property assessors

**Field Representative and Field Representative Principal**

Duties:

- Performs field work including measuring improvements and obtaining characteristic data working off building permits
- Sketches improvements for property cards
- Performs data entry of characteristics when needed
- Photographs properties for physical inspection
- Contacts property owners to obtain and verify data
- Other duties as assigned

**Chief of Staff**  
**Chief Deputy**

Duties:

- Manages and supervises all functions and employees of the office in the absence of the PVA
- Processes data requests from state government and the private sector
- Manages all office projects
- Formulates new programs and procedures to better perform statutory duties of the PVA office
- Other duties as assigned



**APPLICATION CHECKLIST  
FOR PERSONNEL ACTION  
\*PAY GRADE/SALARY CHANGE  
UP TO MIDPOINT\***

**This form must be attached to a completed RPA Form 62A639  
and the first page of your FY 15-16 Budget.**

**Deputy Name** \_\_\_\_\_ **County/Code** \_\_\_\_\_  
(First, middle initial and surname)

**Deputy meets the following criteria:**

- Deputy is full-time.
- Deputy has a minimum of 5 years full-time equivalent experience in the PVA office. Date of hire: \_\_\_\_\_
- Deputy is one or two grades below the PVA. Current Grade: \_\_\_\_\_
- Executed "Discretionary Fund Pay Grade/Salary Change" Agreement is attached.

**I understand that:**

- All raises, which are to be in 5% increments up to the midpoint grade, must be paid out of OX funds.
- Effective dates for salary increases will be July 1 and run on a fiscal year only.
- All prior year deputy hire, shortfall and OX billings must be paid in full.
- The initial difference in current salary and the adjusted salary plus benefits (up to midpoint) must be paid upfront for the entire year before the salary change takes effect. The PVA shall submit payment within 30 days of the effective date as determined by the PVA Budget Subcommittee for Deputy Salary or the deputy will not receive the PAY GRADE/SALARY CHANGE and the RPA will be returned to the PVA.
- In subsequent years, the difference in salary change must be paid by July 31<sup>st</sup>. If not paid by July 31<sup>st</sup>, the deputy will revert and retro pay back to their previous grade and salary funded by the General Fund, effective July 1st (June 16th payroll).
- Total billing including benefits shall not exceed 15% of the total income available including carry-forward per the information available on the Deputy Hire Formula Sheet.
- The Budget Committee has final oversight and approval.

**RECOMMENDED** \_\_\_\_\_ **DATE** \_\_\_\_\_  
Property Valuation Administrator

*For Committee use only:* \_\_\_\_\_ **DATE APPLICATION RECEIVED:** \_\_\_\_\_

**APPLICATION IS:**

**APPROVED**      **Effective Date** \_\_\_\_\_ (month, day, year)

**DENIED**

Reason(s) for denial \_\_\_\_\_

**BUDGET COMMITTEE**

**BY:** \_\_\_\_\_

\_\_\_\_\_ **Date**

**COPY DISTRIBUTION**

- One copy to: PVA Administrative Support Branch Payroll Copy
- One copy to: Employee (*To Be Returned By Payroll*)
- One copy to: PVA Copy (*To Be Returned By Payroll*)
- One copy to: Budget Committee Copy



**RENEWAL CHECKLIST  
FOR PERSONNEL ACTION  
\*PAY GRADE/SALARY CHANGE  
UP TO MIDPOINT\***

**This form must be attached to the first page of your FY 15-16 Budget.**

**Deputy Name** \_\_\_\_\_ **County/Code** \_\_\_\_\_  
(First, middle initial and surname)

**I understand that:**

- All raises, which are to be in 5% increments up to the midpoint grade, must be paid out of OX funds.
- Effective dates for salary increases will be July 1 and run on a fiscal year only.
- All prior year deputy hire, shortfall and OX billings must be paid in full.
- In subsequent years, the difference in salary change must be paid by July 31<sup>st</sup>. If not paid by July 31<sup>st</sup>, the deputy will revert and retro pay back to their previous grade and salary funded by the General Fund, effective July 1st (June 16th payroll).
- Total billing including benefits shall not exceed 15% of the total income available including carry-forward per the information available on the Deputy Hire Formula Sheet.
- The Budget Committee has final oversight and approval.

**RECOMMENDED** \_\_\_\_\_ **DATE** \_\_\_\_\_  
Property Valuation Administrator



*For Committee use only:* \_\_\_\_\_ **DATE APPLICATION RECEIVED:** \_\_\_\_\_

**APPLICATION IS:**

**APPROVED**      **Effective Date** \_\_\_\_\_ (month, day, year)  
 **DENIED**  
Reason(s) for denial \_\_\_\_\_

**BUDGET COMMITTEE**

**BY:** \_\_\_\_\_ **Date** \_\_\_\_\_

**COPY DISTRIBUTION**

- One copy to: PVA Administrative Support Branch Payroll Copy
- One copy to: Employee (*To Be Returned By Payroll*)
- One copy to: PVA Copy (*To Be Returned By Payroll*)
- One copy to: Budget Committee Copy