

ORDINANCE NUMBER 6 - 2022

COUNTY OF FRANKLIN, KENTUCKY

AN ORDINANCE AMENDING THE OPERATION OF COUNTY FISCAL COURT, CHAPTER 30 ADMINISTRATIVE CODE, PERSONNEL ADMINISTRATION, SECTION .055 (METHODS FOR FILLING VACANCIES), SECTION .099 (COMPENSATION PLAN), SECTION .100 (CLASSIFICATION OF EMPLOYEES) AND ADDS A SECTION FOR COUNTY ISSUED PROPERTY TO EMPLOYEES OF THE FRANKLIN COUNTY CODE OF ORDINANCES

WHEREAS, the Franklin County Code of Ordinances Chapter 30 Administrative Code: Personnel Administration sets forth the method for filling part-time, temporary and seasonal park employees, the frequency a cost-of-living adjustment (COLA) is applied to the compensation plan schedule and adds a policy for the issuance and return of county property to employees; and

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF FRANKLIN, COMMONWEALTH OF KENTUCKY, THAT:

SECTION I. The Code of Ordinances, Chapter 30 Administrative Code, Personnel Administration, Section .055 Methods for Filling Vacancies is hereby amended to the following:

(G) *Applications reviewed.*

- (1) Applications for part-time, temporary or seasonal park employees shall be reviewed by the Park Director and Human Resources Director.
- (2) If applicants are qualified for the vacant position(s), ~~and~~ funding is available in the budget, and the Park Director and Human Resources Director both agree to offer the applicant employment, they shall be considered for may be hired at that time, pending results of Section (4). A and a list of each hire, their application and background check must be presented to Fiscal Court at the next scheduled meeting for ratification. the recommended candidates shall be provided to the Fiscal Court at the next scheduled Court meeting.
- (3) The maximum number of eligible part-time, temporary or seasonal park employees shall not be limited to a maximum number of positions due to scheduling requirements.
- (4) A background check and drug screening shall be required prior to hire.

SECTION II. The Code of Ordinances, Chapter 30 Administrative Code, Personnel Administration, Section .099 Compensation Plan is hereby amended to the following:

(D) *Application of pay plan.*

- (1) Ranges of pay are intended to be base pay for a standard workweek in various classes of work as defined by county policy.
- (2) Pay rates are not intended to include special assignment differentials, reimbursement for travel expenses or other authorized expenses incurred in connection with official business.
- (3) The minimum rate of each class should be the normal entering rates. Departures from this should be made only if necessary to fill a vacancy despite vigorous recruitment efforts or as recognition of exceptional qualifications.

- (4) Progression through the pay range will depend on funding availability. However, under normal circumstances, the employee will receive a pay increase when:
  - (a) An across-the-board or percentage increase is budgeted by the County Fiscal Court;
  - (b) Merit increases are awarded due to outstanding performance; or
  - (c) A higher degree of certification in the class of employment is attained.
- (5) A promotion may require an adjustment in pay to reach the minimum pay rate of the new classification. Further progression through the pay range is governed by the same criteria as set forth in this division (D) above, as well as elsewhere in these policies and procedures. If the employee has already reached the minimum pay rate of the new classification plan, the Fiscal Court shall determine an appropriate increase in compensation.
- (6) The pay plan set forth on the following pages uses the federal minimum wage as the base point for all classes. The compensation plan schedule will increase on even years (2022, 2024, 2026, etc.) annually by the CPI authorized by the Fiscal Court.

SECTION III. The Code of Ordinances, Chapter 30 Administrative Code, Personnel Administration, Section .100 Classification of Employees is hereby amended to the following:

There shall be two classifications of employees as follows:

(A) *Exempt/administrative personnel.*

- (1) Please refer to the U.S. Department of Labor, Fair Labor Standards Act, being 29 U.S.C. §§ 201 et seq., for definition. To qualify for the exempt/administrative employee exemption, all of the following tests must be met:
  - (a) The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week;
  - (b) The employee's primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and
  - (c) The employee's primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.
- (2) The Fiscal Court hereby establishes two pay grades for exempt/administrative employees. The base annual compensation for each grade shall be uniform for all employees; except that, the base annual compensation of existing exempt/administrative employees whose base annual compensation for the pay grade assigned to their position shall remain at the greater rate unless changed by written request of the County Judge/Executive and approved by the Fiscal Court. The County Judge/Executive shall establish in the year that county officials are elected the base annual salary for each exempt/ administrative pay grade. Employees re-appointed shall keep their current salaries if it is greater than the newly established base salary. ~~The base salary schedule established shall be increased by the percentage rise in the cost of living index on an annual basis or when merit raises are awarded for exceptional performance.~~

SECTION IV. The Code of Ordinances, Chapter 30 Administrative Code, Personnel Administration, is hereby amended to add the following as new section:

COUNTY ISSUED PROPERTY



All employees shall execute a document provided by Franklin County Fiscal Court which describes any and all personal property, (including uniforms, clothing, computers, tools, cell phones, computers or any other work-related items) provided to the employee.

This instrument shall be supplemented by the Department Head upon any exchange or destruction. Each employee will execute the document indicating that these items are owned by the Franklin County Fiscal Court and that upon their termination, discharge or transfer, they will be returned to the office of the Judge/Executive.

In the event that the items in question are destroyed or replaced with additional items, the employee shall note the reason provided. Each employee shall execute a further statement that if these items are not returned, the employee may be subject to criminal and/or civil remedies for loss.

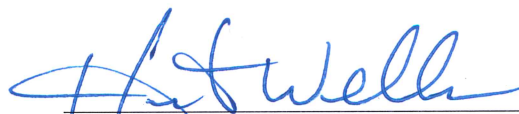
SECTION V. CODIFICATION. The provisions of Section I of this Ordinance shall be published as appropriate in the Franklin County Code of Ordinances as soon as practicable.

SECTION VI. SEVERABILITY CLAUSE. If any section, part of provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then it is expressly provided and it is the intention of the Franklin County Fiscal Court in passing this Ordinance that its parts shall be severable and all other parts of this Ordinance shall not be affected thereby and they shall remain in full force and effect.

SECTION VII. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication according to law.

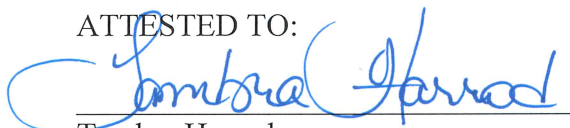
**INTRODUCED AND GIVEN FIRST READING IN SUMMARY** at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 22<sup>nd</sup> day of July, 2022.

**GIVEN SECOND READING AND APPROVED** at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 12 day of August, 2022 and of record in Fiscal Court Order Book 33, Page 1.



Huston Wells  
Franklin County Judge/Executive

ATTESTED TO:



Tambra Harrod  
Fiscal Court Clerk

**SUMMARY**

This ordinance sets forth the method for filling part-time, temporary and seasonal park employees, changes the frequency a cost-of-living (COLA) is applied to the compensation plan schedule adds a policy for employees receiving and returning county property.