

### **18A.170 Certification of division directors who do not make policy.**

It is further provided that the responsible departmental, board, commission or agency head shall at the time at which he elects to come under the provisions of KRS 18A.005 to 18A.200, certify to the board the positions of those division directors or heads under their jurisdiction whose duties are nonpolicy making together with a sufficient statement of their duties to enable the board to determine whether or not, as a matter of fact, such duties are nonpolicy making in their nature. He shall, at any time subsequent to coming under the provisions of KRS 18A.005 to 18A.200 certify to the board additional division directors or heads whose duties are nonpolicy making. At the time of certification notice thereof shall be given to the interested division director or head in the form of a copy of the statement certifying the duties of his office. The board may conduct such hearings as it may deem necessary, and shall conduct hearings pursuant to the administrative provisions of KRS 18A.095 in the event of a difference of opinion between the certifying officer and the interested division director or head, before entering its findings of fact and an order either classifying or denying classification to such position. Either the certifying officer or the division director or head may appeal the findings of fact and the final order of the board by initiating action in the Franklin Circuit Court pursuant to the provisions of KRS 418.040 et seq.

**Effective:** July 15, 1982

**History:** Repealed, reenacted. and amended as KRS 18A.170, 1982 Ky. Acts ch. 448, sec. 34, effective July 15, 1982. -- Amended 1974 Ky. Acts ch. 308, sec. 8. -- Created 1960 Ky. Acts ch. 63, sec. 4(b).

**2014-2016 Budget Reference.** See State/Executive Branch Budget, 2014 Ky. Acts ch. 117, Pt. I, C, 2, (2) at 628.

**2014-2016 Budget Reference.** See State/Executive Branch Budget, 2014 Ky. Acts ch. 117, Pt. I, D, 10, (1) at 636.

**Formerly codified as** KRS 18.150.