

**90.170 Eligible lists -- Period in force -- Removal of names -- Supplemental lists -- Emergency appointments -- Public inspection of lists -- Reinstatement of names.**

- (1) Each eligible list shall remain in force until exhausted, or until replaced by a more recently prepared list, but not beyond two (2) years from the date of its establishment. The names of persons who have indicated in writing to the director that they are unwilling to accept appointment, or request in writing that their names be dropped from the list, or who have been certified for appointment three (3) times and not appointed, shall be dropped from the list.
- (2) If during the lifetime of a list it shall have dwindled to the point that three (3) or fewer names remain thereon, or if for other reason the board deems it necessary for the good of the service to prepare and establish a supplemental list, the board may in its discretion do so; in such event the original list shall be combined with the supplemental list, and all names shall be placed on the combined list according to grade, without regard to priority in time of examination; provided, however, no name shall remain upon eligible lists for a period longer than two (2) years, at which time it shall be dropped from the list. The board, by rule, may prescribe other reasons for removal of names from an eligible list and for written notice to those so removed.
- (3) In the absence of any appropriate eligible list any position or office may be filled temporarily by the appointing authority without examination for a period not to exceed ninety (90) days, during which time the board shall hold the necessary examination for the filling of the place regularly, but persons may be temporarily employed for emergency work without examination for the period of the emergency, in no event to exceed ninety (90) days in any one (1) fiscal year, such appointment to be an emergency appointment and the same shall not be renewed. No person shall be appointed or employed under any title not appropriate to the duties to be performed. No person shall be transferred to or assigned to perform any duties of any position subject to competitive tests unless he shall have been appointed to the position from which transfer is made as a result of a competitive test, equivalent to that required for the position to be filled, or appointed as otherwise herein provided under KRS 90.180 and 90.210.
- (4) Each list of eligibles, with the respective grades, shall be open to public inspection. Any person appointed from the eligible list and laid off for lack of work, or lack of appropriation, shall be placed at the head of the eligible list, and shall be eligible for reappointment for a period of eligibility as provided by the rules of the board.

**History:** Created 1942 Ky. Acts ch. 16, sec. 4.