

**78.425 Personnel included in merit system.**

- (1) All police officers of whatever rank and title, and all employees, except civilian employees covered by a collective bargaining agreement, of every county police force affected by KRS 78.400 to 78.460 and 78.990 are covered by the provisions hereof, except probationary officers and employees. All covered officers and employees of every county police force on active duty or service as of the effective date of an order of the fiscal court of the county creating a county police merit system and board, shall be deemed fit and qualified to continue their respective duties of employment on or for their respective county police force without examination or further qualification, except and unless the chief of police of any county police force shall, within sixty (60) days after the establishment of the board, certify to the board that any officer or employee is physically unfit to continue his or her duties.
- (2) If a merit system is established which covers a county fire department, the provisions of subsection (1) shall apply to the county fire department as they apply to the county police force.
- (3) All personnel covered by the provisions (a) of KRS 78.400 to 78.460, or (b) KRS 67.323, 67.325 and this section, or both, except probationary officers and employees, shall be deemed to be permanent employees subject to their ability to satisfactorily perform their respective duties and further subject to their good behavior.
- (4) Probationary officers and employees shall not be included in the merit system until they satisfactorily complete their initial probationary periods established by the governing merit board. Officers and employees serving promotional probationary periods, however, shall not be deemed excluded from the merit system during the promotional probationary periods.

**Effective:** July 15, 1994

**History:** Amended 1994 Ky. Acts ch. 171, sec. 1, effective July 15, 1994. -- Amended 1988 Ky. Acts ch. 319, sec. 3, effective July 15, 1988. -- Amended 1966 Ky. Acts ch. 148, sec. 3. -- Amended 1962 Ky. Acts ch. 280, sec. 3. -- Created 1952 Ky. Acts ch. 141, sec. 3(1), (2).