

POSTER COMPLIANCE DATE 05/2018

## Labor Cabinet, Department of Workplace Standards Wage and Hour Laws

### POST THIS ORDER WHERE ALL EMPLOYEES MAY READ

**MINIMUM WAGE:** Minimum wage rates and effective dates are as follows: \$5.85 per hour effective June 26, 2007; \$6.55 per hour effective July 1, 2008, and \$7.25 per hour effective July 1, 2009. Should the federal minimum wage rate as prescribed by 29 U.S.C. Section 206(a)(1) be higher, Kentucky's minimum wage rate will adjust to match the federal rate. KRS 337.275

**OVERTIME:** No employer shall employ any employee for a workweek longer than forty hours unless such employee receives compensation for employment in excess of forty hours in a workweek at a rate of not less than one and one-half times the hourly rate employed. This section does not apply to employees of retail stores engaged in work connected with selling, purchasing and distributing merchandise, wares, goods, articles or commodities, or to employees of restaurant, hotel and motel operations, to employees as defined and exempted from the overtime provision of the Fair Labor Standards Act in section 213(b)(1), 213(b)(10) and 213(b)(17) of Title 29, U.S.C. and employees as defined in KRS 337.285 Sec. 2(d) and 2(e). (KRS 337.285)

**EXEMPTIONS:** Minimum Wage (KRS 337.275) and Overtime (KRS 337.285) do not apply to the following list of employees: (1) Any individual employed in agriculture; (2) Any individual employed in a bona fide executive, administrative, supervisory or professional capacity, or in the capacity of outside salesman, or as an outside collector as such terms are defined by administrative regulations of the Executive Director; (3) Any individual employed by the United States; (4) Any individual employed in domestic service in or about a private home. The provisions of this section shall include individuals employed in domestic service in or about the home of an employer where there is more than one domestic servant regularly employed; (5) Any individual classified and given a certificate by the Executive Director of Workplace Standards showing a status of handicapped worker or sheltered workshop employee under administrative regulations promulgated by the Executive Director of Workplace Standards; (6) Employees of retail stores, service industries, hotels, motels, and restaurant operations whose average annual gross volume of sales made for business done is less than ninety-five thousand dollars for the five preceding years exclusive of excise taxes at the retail level or if the employee is the parent, spouse, child, or other member of the employer's immediate family; (7) Any individual employed as a babysitter in the employer's home or as a companion by a sick, convalescing or elderly person or by the person's immediate family, to care for that sick, convalescing or elderly person and whose principal duties do not include housekeeping; (8) Any individual engaged in the delivery of newspapers to the consumer; (9) Any individual subject to the provisions of KRS Chapters 7, 16, 27A, 30A, and 18A provided that the secretary of the Personnel Cabinet shall have the authority to prescribe by administrative regulation those emergency employees, or others, who shall receive overtime pay rates necessary for the efficient operation of government and the protection of affected employees; (10) Any employee employed by an establishment which is an organized nonprofit camp, religious, or nonprofit educational conference center, if it does not operate for more than seven months in any calendar year; (11) Any employee whose function is to provide 24 hour residential care in his or her own home as a family caregiver and who is approved to provide family caregiver services to an adult with a disability through a contractual relationship with a community mental health-mental retardation board established under KRS 210.370 to 210.460, or is certified or licensed by the Cabinet for Health and Family Services to provide adult foster care. (KRS 337.101(2))

**TIPPED EMPLOYEES:** Any employee engaged in an occupation in which more than \$30 dollars per month is customarily and regularly received in tips, the employer may pay a minimum of \$2.13 per hour if the employer's records can establish for each week where credit is taken, when adding the tips received to wages paid, not less than the minimum wage is received by the employee. Subsequently, the tipped rate will adjust in accordance with the federal minimum tipped rate as prescribed by 29 U.S.C. Sec. 206(a)(1). No employer shall use all or part of tips or gratuities received by employees toward the payment of the minimum wage. (KRS 337.275(2)) No employer shall require an employee to remit to the employer any gratuity, or any portion thereof, except for the purpose of withholding amounts required by federal or state law. No employer shall require an employee to participate in a tip pool whereby the employee is required to remit to the pool any gratuity, or any portion thereof, for distribution among employees of the employer. Employees may voluntarily enter into an agreement to divide gratuities among themselves. The employer may inform the employees of the existence of a voluntary pool and the customary tipping arrangements of the employees at the establishment. Upon petition by the participants in the voluntary pool, and at the employer's own option and expense, an employer may provide custodial services for the safekeeping of funds placed in the pool if the account is properly identified and segregated from the other business records and open to examination by pool participants. (KRS 337.065)

**RECORDS:** Every employer subject to the provisions of the Kentucky Minimum Wage Law shall make and preserve records containing the following information: (a) Name, address, and Social Security Number of each employee; (b) Hours worked each

day and each week by each employee; (c) Regular hourly rate of pay; (d) Overtime hourly rate of pay for hours in excess of forty hours in a workweek; (e) Additions to cash wages at cost, or deductions (meals, board, lodging, etc.) from stipulated wages in the amount deducted, or at cost of the item for which deductions are made; (f) Total wages paid for each workweek and date of payment. Such records shall be kept on file for at least one year after entry. No particular form or order is prescribed for these records provided that the information required is easily obtainable for inspection purposes. (KRS 337.320)

**REST PERIODS:** No employer shall require any employee to work without a rest period of at least ten (10) minutes during each four (4) hours worked except those employees who are under the Federal Railway Labor Act. This shall be in addition to the regularly scheduled lunch period. No reduction in compensation shall be made for hourly or salaried employees. (KRS 337.365)

**LUNCH PERIODS:** Employees, except those subject to the Federal Railway Labor Act, shall grant their employers a reasonable period for lunch, and such time shall be as close to the middle of the employee's scheduled work shift as possible. In no case shall an employee be required to take a lunch period sooner than three (3) hours after all wages or salary earned not later than the next normal pay period following the date of dismissal or voluntary leaving or fourteen (14) days following such date of dismissal or voluntary leaving whichever last occurs. (KRS 337.055)

**PAYMENT OF WAGES:** Any employee who leaves or is discharged from employment shall be paid in full all wages or salary earned not later than the next normal pay period following the date of dismissal or voluntary leaving or fourteen (14) days following such date of dismissal or voluntary leaving whichever last occurs. (KRS 337.055)

**UNLAWFUL FOR EMPLOYER TO WITHHOLD WAGES:** No employer shall withhold from any employee's wages any part of the agreed wage rate; unless (a) the employer is required to do so by local, state, or federal law; or (b) when a deduction is expressly authorized in writing by the employer to cover insurance premiums, hospital, or medical dues; or (c) other deductions not amounting to a rebate or deduction from the standard wage arrived at by collective bargaining or pursuant to wage agreement or statute; or (d) deductions for union dues where such deductions are authorized by joint wage agreements or collective bargaining contracts negotiated between employers and employees or their representatives. No employer shall deduct the following from the wages of employees: (a) Fines; (b) Cash shortages in a common money till, cash box or register used by two (2) or more persons; (c) Breakage; (d) Losses due to acceptance by an employee of checks which are subsequently dishonored if such employee is given discretion to accept or reject any check; or (e) Losses due to defective or faulty workmanship, lost or stolen property, damage to property, default of customer credit or nonpayment for goods or services received by the customer if such losses are not attributable to employee's willful or intentional disregard of employer's interest. (KRS 337.060)

**TIME AND A HALF FOR WORK DONE ON SEVENTH DAY OF WEEK:** Any employer who permits any employee to work seven days in any one workweek shall pay the rate of time and a half for the time worked on the seventh day. The above shall not apply in any case in which the employee is not permitted to work more than forty hours during the workweek; or to telephone exchanges having less than five hundred subscribers; stenographers, bookkeepers or technical assistants of professions such as doctors, accountants, lawyers and other professions licensed under the laws of this state; employees subject to the Federal Railway Labor Act and seamen or persons engaged in operating boats or other water transportation facilities upon navigable streams; persons engaged in icing railroad cars; common carriers under the supervision of the Department of Vehicle Regulation; and any officer, superintendent, foreman or supervisor whose duties are principally limited to directing or supervising other employees. (KRS 337.050)

**PERFORMANCE BONDS:** Except for employers who have been doing business in the state for five (5) consecutive years, every employer engaged in construction work, or the severance, preparation, or transportation of minerals, shall furnish on a form prescribed by the Executive Director a performance bond to assure the payment of all wages due from the employer. Surety for the bond shall be an amount of money equal to the employer's gross payroll operating at full capacity for four (4) weeks. (KRS 337.200)

**ADDITIONAL INFORMATION:**  
**KENTUCKY LABOR CABINET**  
**DIVISION OF EMPLOYMENT STANDARDS,**  
**APPRENTICESHIP AND MEDIATION**  
**1047 U.S. HWY 127 SOUTH, SUITE 4**  
**FRANKFORT, KENTUCKY 40601-4381**  
**PHONE (502) 564-3070 FAX (502) 564-2248**  
Website: [www.labor.ky.gov](http://www.labor.ky.gov)

**"No individual in the United States shall, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any program or activity under the jurisdiction of the Kentucky Department of Labor."**

## Commission on Human Rights

### Equal Employment Opportunity

#### Kentucky Law Requires

#### EQUAL EMPLOYMENT OPPORTUNITY

The Kentucky Civil Rights Act prohibits employment discrimination regarding:

- Recruitment
- Advertising
- Hiring
- Placement
- Promotion
- Transfer

- Training and Apprenticeship
- Compensation
- Termination or Layoff
- Physical Facilities
- Any other terms, conditions or privileges of employment

The Kentucky Civil Rights Act prohibits employment discrimination based on:

- Disability
- Race
- Color
- Religion
- National Origin
- Sex
- Age (40 Years, Old and Over)
- Tobacco-Smoking Status

The Kentucky Civil Rights Act prohibits employment discrimination by:

- Employers
- Labor Organizations
- Employment Agencies
- Licensing Agencies

For help with discrimination, contact the:

**KENTUCKY COMMISSION ON HUMAN RIGHTS**  
332 W. BROADWAY, SUITE 1400  
LOUISVILLE, KENTUCKY 40202  
PHONE: 502.595.4024  
TOLL-FREE: 800.292.5566 . FAX: 502.595.4801  
E-mail: [kchr.mail@ky.gov](mailto:kchr.mail@ky.gov) . Website: [kchr.ky.gov](http://kchr.ky.gov)  
Facebook: [Kentucky Commission on Human Rights](https://www.facebook.com/KentuckyCommissiononHumanRights)  
Twitter: [KyHumanRights](https://twitter.com/KyHumanRights)

Posting this notice is required by law

## Labor Cabinet, Division of Wages and Hours

### Child Labor Laws

#### HOURS OF WORK PERMITTED FOR MINORS 14 TO 18 YEARS OF AGE

AGE	MAY NOT WORK BEFORE	MAY NOT WORK AFTER	MAXIMUM HOURS WHEN SCHOOL IS IN SESSION <sup>1</sup>	MAXIMUM HOURS WHEN SCHOOL IS NOT IN SESSION
14 & 15 years	7:00 A.M.	7:00 P.M. (9:00 P.M. June 1 through Labor Day)	Three (3) hours per day on school day Eight (8) hours per day on non-school day Eighteen (18) hours per week	Eight (8) hours per day Forty (40) hours per week
16 & 17 years	6:00 A.M.	10:30 P.M. preceding school day/1:00 A.M. preceding non-school day	Six (6) hours per day on school day Eight (8) hours per day on non-school day Thirty (30) hours per week	NO RESTRICTIONS
16 & 17 years with Parental Permission <sup>2</sup>	6:00 A.M.	11:00 P.M. preceding school day/1:00 A.M. preceding non-school day	Six and one-half (6.5) hours per day on school day Eight (8) hours per day on non-school day Thirty-two and one-half (32.5) or forty (40) hours per week <sup>3</sup>	NO RESTRICTIONS

<sup>1</sup>"School in session" means the time established by local school district authorities, pursuant to KRS 160.290.

<sup>2</sup>Parental or guardian permission must be in writing and shall remain at the employer's place of business.

<sup>3</sup>A minor may work up to thirty-two and one-half (32.5) hours in any one (1) workweek if a parent or legal guardian gives permission in writing. A minor may work up to forty (40) hours in any one (1) workweek if a parent or legal guardian gives permission in writing and the principal or head of the school the minor attends certifies in writing that the minor has maintained at least a 2.0 grade point average in the most recent grading period. School certification shall be valid for one (1) year unless revoked sooner by the school authority. The parental permission and school certification shall remain at the employer's place of business.

**Lunch Break.** Minors under 18 years of age shall not be permitted to work more than five (5) hours continuously without an interval of at least thirty (30) minutes for a lunch period. The beginning and ending of the lunch period shall be documented by the employer.

#### OCCUPATIONS PROHIBITED FOR MINORS UNDER 18 YEARS OF AGE<sup>4</sup>

- Occupations in or about Plants or Establishments Manufacturing or Storing Explosives or Articles Containing Explosive Components.
- Motor-vehicle Driver and outside helper on a motor vehicle.
- Coal Mine Occupations.
- Logging or Sawmill Operations.
- Operation of Power-Driven Woodworking machines.
- Exposure to Radioactive Substances.
- Power-driven hoisting apparatus, including forklifts.
- Operation of Power-Driven Metal Forming, punching, and shearing machines.

- Mining, other than coal mining.
- Operating power-driven meat processing equipment, including meat slicers and other food slicers, in retail establishments (such as grocery stores, restaurants, kitchens and Delis), wholesale establishments, and most occupations in meat slaughtering, packing, processing, or rendering.
- Operation of Power-driven bakery machines including vertical dough or batter mixers.
- Power-driven paper products machines including scrap paper baler and cardboard box compactors.
- Manufacturing bricks, tile, and kindred products.
- Power-driven circular saws, band saws, and Guillotine shears.
- Wrecking, demolition, and shupbreaking operations.
- Roofing operations and all work on or about a roof.
- Excavating Operations.
- In, about or in connection with any establishment where alcoholic liquors are distilled, rectified, compounded, brewed, manufactured, bottled, sold for consumption or dispensed unless permitted by the rules and regulations of the Alcoholic Beverage Control Board (except they may be employed in places where the sale of alcoholic beverages by the package is merely incidental to the main business actually conducted).
- Pool or Billiard Room.

**Limited exemptions for 16 and 17 year old apprentices and student-learners may apply. For questions, please call 502-564-3534.**

<sup>4</sup>Minors fourteen (14) but not yet sixteen (16) years of age may NOT be employed in: manufacturing, mining, or processing occupations, including occupations requiring the performance of any duties in workrooms or workplaces where goods are manufactured, mined, or otherwise processed; occupations which involve the operation or tending of hoisting apparatus or any power-driven machinery other than office machines; operation of motor vehicles or service as helpers on such vehicles; public messenger service; occupations in connection with: (1) transportation of persons or property by rail, highway, air, water, pipeline, or other means, (2) warehousing and storage, (3) communications and public utilities, or (4) construction (including demolition and repair).

#### PROOF OF AGE REQUIRED FOR MINORS 14 BUT NOT YET 18 YEARS OF AGE

**Driver's License, Birth Certificate, Government Document with Date of Birth**

**"No individual in the United States shall, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any program or activity under the jurisdiction of the Kentucky Department of Labor."**

#### FOR FURTHER INFORMATION CALL:

**KENTUCKY LABOR CABINET**  
**DIVISION OF WAGES AND HOURS**  
**FRANKFORT, KENTUCKY 40601-4381**  
**PHONE (502) 564-3534 FAX (502) 696-1897**  
Website: [www.labor.ky.gov](http://www.labor.ky.gov)

#### POST THIS ORDER WHERE ALL EMPLOYEES MAY READ

REV. 5/1/2018

## Labor Cabinet, Department of Workplace Standards

### Wage Discrimination Because of Sex

(KRS 207.140 to 207.240 - KRS 337.420 to 337.433 and KRS 337.990 (14))

#### DEFINITIONS

**EMPLOYEE-** Any individual employed by any employer, including but not limited to individuals employed by the State or any of its political subdivisions, instrumentalities, or instrumentalities of political subdivisions.

**EMPLOYER-** A person who has two or more employees within the State in each of twenty or more calendar weeks in the current or preceding calendar year and an agent of such a person.

**WAGE RATE-** All compensation for employment, including payment in kind and amounts paid by employers for employee benefits, as defined by the Executive Director in regulations issued under this Act.

**PROHIBITION OF THE PAYMENT OF WAGES BASED ON SEX:** The employer is prohibited from discriminating between employees of opposite sexes in the same establishment by paying different wage rates for comparable work on jobs which have comparable requirements. This prohibition covers any employee in any occupation in Kentucky. Any employer violating this Act shall not reduce the wages of any employee in order to comply with the Act. No employer can discharge or discriminate against any employee for the reason that the employee sought to invoke or assist in the enforcement of the Act.

**EXEMPTIONS FROM COVERAGE:** A differential paid through an established seniority system or merit increase system is permitted by the Act if it does not discriminate on the basis of sex. Employees subject to the Fair Labor Standards Act of 1938, as amended, are excluded "when that act imposes comparable or greater requirements than contained" in this Act. However, to be excluded, the employer must file with the Executive Director of the Kentucky Office of Workplace Standards a statement that it is covered by the Fair Labor Standards Act of 1938, as amended.

**ENFORCEMENT OF LAW AND POWER TO INSPECT:** The Executive Director or his authorized agent has the power to enter the employer's premises to inspect records, compare character of work and operations of employees, question employees, and to obtain any information necessary to administer and enforce this Act. The Executive Director or his authorized representative may examine witnesses under oath, and require by subpoena the attendance and testimony of witnesses and the production of any documentary evidence relating to the subject matter of any investigation undertaken pursuant to this Act. If a person fails to obey a subpoena, the Circuit Court of the Judicial District wherein the hearing is being held may issue an order requiring the subpoena to be obeyed. Failure to obey the court order may be punished as contempt of that court.

## Office of Employment and Training

### Information about Unemployment Insurance Benefits

#### EMPLOYERS ARE SUBJECT TO KENTUCKY UNEMPLOYMENT INSURANCE LAW. YOU MAY BE ELIGIBLE FOR UNEMPLOYMENT BENEFITS IF YOU LOSE YOUR JOB, ARE LAID OFF OR YOUR HOURS ARE REDUCED.

#### TO QUALIFY FOR BENEFITS, YOU MUST

- Be unemployed through no fault of your own;
- Be able and available to work and making a reasonable effort to obtain new work; and
- Register for work when you file your claim.

You must also meet monetary eligibility requirements based on your earnings in the "base period"; the first four of the five completed calendar quarters preceding your claim. These earnings also determine the amount of benefits you may be entitled to draw. Generally, if you have worked for more than a year and earned at least \$1500 during your base period, you may meet the monetary requirements for a claim.

#### IF YOU LOSE YOUR JOB OR ARE LAID OFF:

1. File your claim within the first week after you become unemployed, by filing on the internet at [www.oet.ky.gov](http://www.oet.ky.gov), or by telephone at **502-875-0442** Monday through Friday, 7:30am-5:30pm ET (this is **NOT** a toll-free number).
2. After filing your claim, file continuing claims bi-weekly while you are unemployed, through the web site or by toll-free telephone at 877-369-5984 or 877-3MY-KYUI

#### IF YOUR HOURS ARE REDUCED

You may be eligible for partial benefits if you are still employed by your regular employer but are working less than your normal full-time hours **due to lack of available work.** Benefits are not paid in the case of reduction in hours due to total disability, vacation or personal reasons.

#### WORKERS' COMPENSATION RECIPIENTS

If you missed at least seven weeks of earnings due to injury in any quarter during your base period, and were eligible for Workers'

Compensation (whether or not you drew it), you may be able to use wages earned **before** your injury to qualify for unemployment benefits. To qualify, you must file your claim within the first four weeks that you are unemployed following the period covered by Workers' Compensation. Contact your nearest Unemployment Insurance office for more information.

#### CONTRIBUTIONS TO THE UNEMPLOYMENT BENEFIT FUND ARE PAID BY EMPLOYERS. NO DEDUCTIONS ARE MADE FROM EMPLOYEE WAGES FOR THAT PURPOSE!

–DO NOT COMMIT FRAUD–  
If you make a false statement in claiming benefits, you can be disqualified for up to 52 weeks.

You could face other penalties as well including felony charges, fines and possible imprisonment.

Also, all benefits fraudulently received must be repaid to the Division of Unemployment Insurance. Interest will accrue and there may be a lien filing fee as well as a lien release fee.

**EDUCATION AND WORKFORCE DEVELOPMENT CABINET**  
**DEPARTMENT FOR WORKFORCE INVESTMENT**  
**OFFICE OF EMPLOYMENT AND TRAINING**  
**DIVISION OF UNEMPLOYMENT INSURANCE**  
**275 EAST MAIN STREET**  
**FRANKFORT, KY 40621**

POS-UI-5.1

REV. 11/2012

## Labor Cabinet

# Safety and Health on the Job

#### Occupational Safety and Health

Kentucky Revised Statute (KRS) Chapter 338 establishes a program for protecting occupational safety and health. This notice details the safety and health protections for public and private sector employees working in the Commonwealth of Kentucky and must be prominently displayed in the workplace.

**Employer Responsibilities:** Employers shall furnish employment and places of employment which are free from recognized hazards that are causing, or are likely to cause, death or serious physical harm to employees; and comply with the occupational safety and health regulations, standards, and rules issued pursuant to KRS 338. Employers must provide information and training on hazards in the workplace including all hazardous substances. Required training must be provided to all employees in a language and vocabulary they understand. It is illegal to retaliate against an employee for exercising any of their rights under the law, including raising a safety and health concern or reporting a work-related injury or illness.

**Employee Responsibilities:** Employees shall comply with the occupational safety and health regulations, standards, and rules issued pursuant to KRS 338 which are applicable to their own actions and conduct.

**Records:** Employees may request from their employer copies of their medical records, tests that measure hazards in the workplace, as well as the injury and illness log.

**Standards:** Kentucky's occupational safety and health standards are adopted by the Kentucky Occupational Safety and Health Standards Board. The Board consists of 13 members, comprised of the Secretary of Labor who serves as Chair, and 12 other members equally representing agriculture, industry, labor, and the safety and health profession. The Board meets annually and additionally as needed. All meetings are open to the public.

**Inspections:** The Division of Occupational Safety and Health Compliance conducts workplace inspections to determine the cause or prevent the occurrence of occupational injuries and illnesses. During an inspection a representative of the employer and a representative authorized by the employees are given an opportunity to accompany the Compliance Officer for the purpose of aiding the inspection. Where there is no authorized employee representative, the Compliance Officer must consult with a reasonable number of employees regarding safety and health at the workplace.

**Complaints:** Employees or their authorized representative have the right to file a complaint with the Division of Occupational Safety and Health Compliance requesting an inspection if they believe a hazardous condition(s) exists in their workplace. The name of the complainant will be kept confidential upon request.

**Discrimination Protections:** Employees are protected against discharge and other discriminatory actions for having filed complaints and exercising any other right provided by the occupational safety and health laws. Employees who feel they have been so discriminated against may file a complaint with the Kentucky Labor Cabinet within 120 days of the alleged discrimination. Private sector employees also have the option of filing discrimination complaints with the U.S. Department of Labor within 30 days of the alleged discrimination. Complaint forms are available at [www.labor.ky.gov](http://www.labor.ky.gov).

**Citations:** A citation(s) alleging violation of a Kentucky occupational safety and health law(s) or regulation(s) may be issued to an employer following an inspection. The citation(s) is mailed to the employer and specifies an abatement date by which the alleged violation must be corrected. To inform employees, the employer must post each citation at or near the location of the alleged violation for three (3) days or until the violation is corrected, whichever is longer.

**Proposed Penalties:** An employer may be assessed a penalty up to \$7,000 for each serious violation and up to \$7,000 for each other-than-serious violation. Failure to correct a violation within the specified time period may result in penalties up to \$7,000 per day. An employer who commits a willful or repeat violation(s) may be assessed a penalty up to \$70,000 for each violation, and not less than \$5,000 for each willful violation.

**Contesting Procedures:** An employer who has been cited may contest the action before the Kentucky Occupational Safety and Health Review Commission. Equally, any employee or employee representative of an employer who has been cited may also contest the action. Any party wishing to contest a citation(s) must notify the Division of Occupational Safety and Health Compliance in writing of its intent to do so. Notices of contest must be postmarked within 15 working days of receipt by the employer of the citation(s). Notices of contest will be transmitted to the Review Commission in accordance with its rules.

**Recordkeeping:** Employers are required to maintain records of occupational fatalities, injuries, and illnesses experienced by their employees. Records must be kept using OSHA 300, 300-A, 301, or equivalent forms. Unless requested to do so by the U.S. Bureau of Labor Statistics, employers with 10 or fewer employees, or whose establishment(s) fall within an exempted North American Industry Classification System code are exempt from recordkeeping requirements.

**Reporting:** Employers must report to the Division of Occupational Safety and Health Compliance any incident that results in a fatality or the hospitalization of 3 or more employees within 8 hours from when the incident is reported to the employer, the employer's agent, or another employee. Incidents resulting in the loss of an eye, an amputation, or the in-patient hospitalization of 1 or 2 employees must be reported to the Division of Occupational Safety and Health Compliance within 72 hours from when the incident is reported to the employer, the employer's agent, or another employee. Mechanical power press point-of-operation injuries must be reported to the Division of Occupational Safety and Health Compliance within 30 days of the occurrence. Employees have a right to report a safety and health concern or report a work-related injury or illness without being retaliated against.

**Education and Training Services:** The Division of Occupational Safety and Health Education and Training assists employers who are interested in preventing workplace injuries and illnesses by developing and improving their workplace safety management programs. All assistance, such as on-site audits, consultation, and training, is provided **cost-free** upon request.

Kentucky provides occupational safety and health protections under a plan approved in 1973 by the U.S. Department of Labor. Questions and concerns regarding Kentucky's program may be addressed to the Kentucky Labor Cabinet, Office of Federal-State Coordinator. The U.S. Department of Labor monitors Kentucky's program. Any person who has a complaint regarding the administration of the Kentucky program may contact the U.S. Department of Labor, OSHA, Atlanta Federal Center, 61 Forsyth Street SW, Atlanta, Georgia, 30303; (678) 237-0400.

No individual in the United States shall, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any program or activity under the jurisdiction of the Labor Cabinet.

**KENTUCKY LABOR CABINET**  
**1047 US HWY 127 SOUTH**  
**SUITE 4**  
**FRANKFORT, KY 40601**  
**(502) 564-3070**  
[www.labor.ky.gov](http://www.labor.ky.gov)

To update your employment law posters contact  
J.J. Keller & Associates, Inc.  
[JJKeller.com/employmentlaw](http://JJKeller.com/employmentlaw)  
800-327-6868

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