

LABOR CABINET
Department of Workplace Standards
Division of Occupational Safety and Health Compliance
Division of Occupational Safety and Health Education and Training
(As Amended at ARRS, July 13, 2020)

803 KAR 2:301. ~~[Adoption and extension of established]~~ Federal standards for general industry.

RELATES TO: KRS 338.051, 338.061, 29 C.F.R. 1910 Subpart B

STATUTORY AUTHORITY: KRS 338.051(3), 338.061~~[, 29 C.F.R. 1910]~~

NECESSITY, FUNCTION, AND CONFORMITY: KRS 338.051(3) requires [authorizes] the Kentucky Occupational Safety and Health Standards Board to ~~[adopt and]~~ promulgate occupational safety and health administrative regulations and authorizes the chairman to reference federal standards without board approval if necessary to meet federal time requirements. KRS 338.061 authorizes the board to establish, modify, or repeal standards and reference federal standards. [KRS 338.061(2) provides that the board may incorporate by reference established federal standards and national consensus standards. The following] This administrative regulation establishes [contains these] standards that are [to be] enforced by the Department of Workplace Standards in [Division of Occupational Safety and Health Compliance in the area of] general industry.

Section 1. Definitions. (1) "Act" means KRS Chapter 338.

(2) "Assistant secretary [Secretary of Labor]" means the Secretary of Labor, Commonwealth of Kentucky or Commissioner, Department of Workplace Standards, Labor Cabinet.

(3) "Standard" **means "occupational safety and health standard" as defined by/is defined in** KRS 338.015(3). ~~[means the same as regulation or federal rule which requires conditions or the adoption or use of one (1) or more practices, means, methods, operations, or processes, reasonably necessary or appropriate to provide safe and healthful employment.]~~

(4) "U.S. Department of Labor" means Kentucky Labor Cabinet, Department of Workplace Standards, 500 Mero Street, 3rd Floor [U.S. 127 South], Frankfort, Kentucky 40601, or the U.S. Department of Labor.

Section 2. Except as modified by Section 1 of this administrative regulation, general industry shall comply with the federal requirements published by the Office of the Federal Register, National Archives and Records Services, General Services Administration; 29 C.F.R. 1910 Subpart B, Adoption and Extension of Established Federal Standards. [Incorporation by Reference. (1) The following material is incorporated by reference:

(a) ~~29 C.F.R. 1910.11-1910.19 of the Code of Federal Regulations revised as of July 1, 1998, published by the Office of the Federal Register, National Archives and Records Services, General Services Administration are incorporated by reference.~~

(b) The revision to 29 C.F.R. 1910.16, "Longshoring and marine terminals", as published in the Federal Register, Volume 63, Number 230, December 1, 1998.

~~(2) This material may be inspected, obtained, and copied at: Kentucky Labor Cabinet, Division of Occupational Safety and Health Education and Training, U.S. 127 South, Frankfort, Kentucky 40601. Office hours are 8 a.m. - 4:30 p.m. (ET), Monday through Friday.]~~

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