

LABOR CABINET
Office of Unemployment Insurance
(Amendment)

787 KAR 1:080. Labor dispute or strike; notification.

RELATES TO: KRS 341.360

STATUTORY AUTHORITY: KRS 336.015, 336.050 , 341.115, 2021 Ky Acts ch. 169 Part 1(I)(7)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 341.115(1) authorizes the secretary to promulgate administrative regulations necessary to administer KRS Chapter 341. This administrative regulation establishes reporting requirements for an employer to notify the office when a labor dispute or strike begins and ends.

Section 1.

(1) If an initial claim for benefits or a reopened claim for benefits is filed by a claimant, the Office of Unemployment Insurance shall immediately notify the claimant's most recent employer of the filing.

(2) If the claimant is unemployed because of a strike or other bona fide labor dispute, the employer, in addition to the notice required under KRS 341.360(1), shall:

(a) Indicate on form UI-412A, incorporated by reference in 787 KAR 1:010, the reason for the claimant's unemployment; and

(b) Return the form to the office within ten (10) days after the date appearing on the form as the date of mailing.

(3) In computing the ten (10) day period:

(a) The day following the date of mailing of the notice shall be considered the first day; and

(b) if the tenth day falls on a day during which the office is closed, the next day thereafter on which the office is open shall be considered the tenth day.

Section 2. Within ten (10) days after the termination of an alleged strike or labor dispute, the employer shall notify the office in writing of the termination. In computing the ten (10) day period:

(1) The day following the termination of the alleged strike or labor dispute shall be considered the first day; and

(2) If the tenth day falls on a day during which the office is closed, the next day thereafter on which the office is open shall be considered the tenth day.

(22 Ky.R. 461; eff. 11-6-1995; 33 Ky.R. 2176; 3180; eff. 5-4-2007; 48 Ky.R. 582; eff. 2-1-2022.)

BUDDY HOSKINSON, Executive Director
LARRY L. ROBERTS, Secretary

APPROVED BY AGENCY: June 21, 2021

FILED WITH LRC: June 21, 2021 at 1:43 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on September 27, 2021 at 2:00 (ET). This hearing will be conducted by live videoconference (ZOOM) pursuant to Senate Bill 150, Section 1, subparagraph 8(b) (R.S. 2020) and the continuing state of emergency due to the novel coronavirus pandemic. Public access to the meeting will be available at [https://us02web.zoom.us/j/88991458931?](https://us02web.zoom.us/j/88991458931?pwd=eTZYMEo0V3Qydnk0alB3MFFyYmZVUT09)

[pwd=eTZYMEo0V3Qydnk0alB3MFFyYmZVUT09](https://us02web.zoom.us/j/88991458931?pwd=eTZYMEo0V3Qydnk0alB3MFFyYmZVUT09), password 358248 or by telephone at 713-353-0212 or 888-822-7517 (toll free), conference code 278497.

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