

LABOR CABINET
Department of Workplace Standards
(Amended at ARRS Committee)

803 KAR 1:064. Trading time.

RELATES TO: KRS 337.275, 337.285, 45 U.S.C. 181

STATUTORY AUTHORITY: KRS 337.295

NECESSITY, FUNCTION, AND CONFORMITY: KRS 337.295 authorizes the commissioner to promulgate administrative regulations for special items usual in a particular employer-employee relationship. This administrative regulation establishes the criteria to be met by public employers who wish to allow employees engaged in fire protection activities and any employee of a carrier by air subject to the provisions of 45 U.S.C. 181 to use the practice of "trading time."

Section 1. Definition. "Trading time" means the practice of employees engaged in fire protection activities and employees of carrier by air subject to 45 U.S.C. 181 substituting for one another on regularly scheduled tours of duty, or for some part thereof, in order to allow an employee to be absent from work for personal matters.

Section 2. The practice of "trading time" shall not affect hours of work if:

(1) The trading of time is done voluntarily by the employees participating in the program and not at the request of the employer;

(2) The reason for trading time is due to the employee's desire or need to attend to personal matters and not to the employer's business operations; and

(3) A record is maintained by the employer of all time traded by employees.

(48 Ky.R. 2335, 2980; eff. 8-30-2022.)

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