Technical Amendment
November 10, 2022
EDUCATION AND LABOR
(Technical Amendment)

803 KAR 2:401. General interpretations.

RELATES TO: KRS Chapter 338.051, 338.061, 29 C.F.R. 1926.10-16
STATUTORY AUTHORITY: KRS 338.051(3), 338.061
NECESSITY, FUNCTION, AND CONFORMITY: KRS 338.051(3) requires the Kentucky Occupational Safety and Health Standards Board to 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. This administrative regulation establishes standards that are enforced by the Department of Workplace Standards in construction.

Section 1. Definitions.
(1) "Act" means KRS Chapter 338.
(2) "C.F.R." means Code of Federal Regulations.
(3) "Employee" is defined by KRS 338.015(2).
(4) "Employer" is defined by KRS 338.015(1).
(5) "Secretary of Education and Labor" means Secretary, Education and Labor Cabinet, or Commissioner, Department of Workplace Standards, Education and Labor Cabinet.
(6) "Standard" means "occupational safety and health standard" as defined by KRS 338.015(3).

Section 2. Except as established in Section 1 of this administrative regulation, the construction industry shall comply with the 29 C.F.R. 1926, Subpart B, General Interpretations, published by the Office of the Federal Register, National Archives and Records Services, General Services Administration.
(16 Ky.R. 1098; eff. 12-15-1989; TAm eff. 8-9-2007; TAm eff. 9-8-2011; 47 Ky.R. 1634; 2380; eff. 8-3-2021; TAm eff. 11-10-2022.)
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