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

803 KAR 2:500. Maritime employment.

RELATES TO: KRS 338.015, 29 C.F.R. 1915, 1917, 1918, 1919
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 of the board 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. 29 C.F.R. Parts 1915, 1917, 1918, and 1919 establish federal requirements relating to maritime employment. This administrative regulation establishes maritime employment standards enforced by the Department of Workplace Standards in the maritime industry.

Section 1. Definitions.

(1) "Administration" means the Kentucky Education and Labor Cabinet or Department of Workplace Standards.

(2) "Assistant secretary" means Secretary, Education and Labor Cabinet, or Commissioner, Department of Workplace Standards, Education and Labor Cabinet.

(3) "C.F.R." means Code of Federal Regulations.

(4) "Employee" is defined by KRS 338.015(2).

(5) "Employer" is defined by KRS 338.015(1).

(6) "U.S. Department of Labor" means U.S. Department of Labor or Kentucky Education and Labor Cabinet, 500 Mero Street, 3rd Floor, Frankfort, Kentucky 40601.

Section 2. Except as modified by the definitions established in Section 1 of this administrative regulation, the maritime industry shall comply with the following federal regulations published by the Office of the Federal Register, National Archives and Records Services, General Services Administration:

(1) 29 C.F.R. Part 1915, relating to occupational safety and health standards for shipyard employment;

(2) 29 C.F.R. Part 1917, relating to maritime terminals;

(3) 29 C.F.R. Part 1918, relating to safety and health regulations for longshoring;

(4) 29 C.F.R. Part 1919, relating to gear certification; and

(5) The revisions to 29 C.F.R. Part 1915 as published in the May 14, 2019 Federal Register, Volume 84, Number 93.

(16 Ky.R. 720; eff. 12-15-1989; 20 Ky.R. 646; eff. 11-8-1993; 2727; eff. 5-11-1994; 21 Ky.R. 122; eff. 9-12-1994; 2280; eff. 4-20-1995; 22 Ky.R. 1151; 1474; eff. 2-12-1996; 2070; eff. 7-5-1996; 23 Ky.R. 1746; eff. 12-13-1996; 3955; eff. 7-17-1997; 24 Ky.R. 1161; eff. 1-12-1998; 2160; eff. 7-13-1998; 25 Ky.R. 2465; eff. 6-16-1999; 26 Ky.R. 655; eff. 11-15-1999; 27 Ky.R. 2903; 3250; eff. 6-8-2001; 29 Ky.R. 2357; eff. 5-15-2003; 31 Ky.R. 1736; eff. 7-1-2005; 32 Ky.R. 563; 878; eff. 12-2-2005; 33 Ky.R. 1141; 1531; eff. 1-5-2007; 3072; eff. 6-1-2007; 34 Ky.R. 2050; eff. 5-2-2008; 35 Ky.R. 1912; eff. 5-1-2009; 36 Ky.R. 184; 594; eff. 10-2-2009; 37 Ky.R. 161; eff. 10-1-2010; 38 Ky.R. 118; eff. 10-7-2011; 38 Ky.R. 2046; eff. 8-31-2012; 40 Ky.R. 166; eff. 10-4-2013; 2852; eff. 9-5-2014; 42 Ky.R. 2978; eff. 9-2-2016; 43 Ky.R. 1685; eff. 6-2-2017; 46 Ky.R. 2724; eff. 9-29-2020; 46 Ky.R. 2724; eff. 9-29-2020; TAm eff. 11-10-2022.)

FILED WITH LRC: November 10, 2022