

**EDUCATION AND LABOR CABINET**  
**Department of Workplace Standards**  
**Division of Occupational Safety and Health Compliance**  
**Division of Occupational Safety and Health Education and Training**  
**(Amendment)**

**803 KAR 2:181. Recordkeeping and reporting occupational injuries and illnesses.**

RELATES TO: KRS 338.015(1), (2), 338.121(3), 338.161, 29 C.F.R. Part 1904

STATUTORY AUTHORITY: KRS 338.061, 338.161

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 338.161(1) requires the Department of Workplace Standards to promulgate administrative regulations for the collection, compilation, and analysis of occupational safety and health statistics. 29 C.F.R. Part 1904 authorizes requirements for the recording and reporting of occupational illnesses and injuries. This administrative regulation establishes recordkeeping and reporting requirements for employers pursuant to KRS Chapter 338.

Section 1. Definitions.

- (1) "C.F.R." means Code of Federal Regulations.
- (2) "Employee" is defined by KRS 338.015(2).
- (3) "Employer" is defined by KRS 338.015(1).
- (4) "Secretary of Labor" means the Secretary of the United States Department of Labor or the Secretary of the Education and Labor Cabinet.
- (5) "Section 11(c) of the Act" means KRS 338.121(3).

Section 2. Except as modified by the definitions in Section 1, an employer shall comply with 29 C.F.R. Part 1904, Recording and Reporting Occupational Injuries and Illnesses, published by the Office of the Federal Register, National Archives and Records Administration.

(803 KAR 002:181. 47 Ky.R. 2772; eff. 11-30-2021; TAm eff. 11-10-2022; 52 Ky.R. 312; eff. 2-3-2026.) COMPILER'S NOTE: 2025 RS HB 6, enacted by the General Assembly on March 27, 2025, altered the information to be provided at the time an administrative regulation is filed. Aside from formatting changes necessary to upload the regulation into the LRC's publication application, this regulation has been published as submitted by the agency.

*JAMIE LINK, Secretary*

*KIMBERLEE C. PERRY, Commissioner*

APPROVED BY AGENCY: July 1, 2025

FILED WITH LRC: July 1, 2025 at 3:42 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held September 22, 2025, at 10:00 a.m. EDST via Zoom. Public access to the meeting is available at: <https://us06web.zoom.us/j/86360536416>, or telephone at (713) 353-0212, (888) 822-7517 toll free, conference code 194378. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through September 30, 2025.

Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

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