803 KAR 2:402. General safety and health provisions.

RELATES TO: KRS 338.015, 29 C.F.R. 1926.20-1926.30, 1926.35

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. 29 C.F.R. 1926.20 to 1926.30 and 1926.32 to 1926.35 authorize federal safety and health requirements relating to construction. This administrative regulation establishes general safety and health standards to be enforced by the Department of Workplace Standards in the area of construction.

Section 1. Definitions.

(1) "Act" means KRS Chapter 338.

(2) "Assistant Secretary of Labor" means Secretary, Labor Cabinet, or Commissioner, Department of Workplace Standards, 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) "Established federal standard" is defined by KRS 338.015(10).

(7) "National consensus standard" is defined by KRS 338.015(9).

(8) "Secretary of Labor" means Secretary, Labor Cabinet, or Commissioner, Department of Workplace Standards, Labor Cabinet.

(9) "Standard" is defined by KRS 338.015(3).

(10) "U.S. Department of Labor" means U.S. Department of Labor or Kentucky Labor Cabinet, U.S. 127 South, Frankfort, Kentucky 40601.

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

(1) 29 C.F.R. 1926.20-1926.30 and 1926.32-1926.35, effective July 1, 2014; and

(2) The amendments to 29 C.F.R. 1926.21 as published in the May 4, 2015 Federal Register, Volume 80, Number 85.

(16 Ky.R. 1099; eff. 12-15-1989; Am. 20 Ky.R. 2704; eff. 5-11-1994; 23 Ky.R. 1732; eff. 12-13-1996; 3938; eff. 7-17-1997; 25 Ky.R. 2457; eff. 6-16-1999; TAm eff. 8-9-2007; 36 Ky.R. 175; 592; eff. 10-2-2009; 37 Ky.R. 1057; eff. 1-3-2011; 42 Ky.R. 119; 684; eff. 10-2-2015.)