

336.990 Penalties, civil and criminal -- Remedies -- Damages.

- (1) Upon proof that any person employed by the Education and Labor Cabinet as a labor inspector has taken any part in any strike, lockout or similar labor dispute, the person shall forfeit his or her office.
- (2) The following civil penalties shall be imposed, in accordance with the provisions in KRS 336.985, for violations of the provisions of this chapter:
 - (a) Any person who violates KRS 336.110 or 336.130 shall for each offense be assessed a civil penalty of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000);
 - (b) Any corporation, association, organization, or person that violates KRS 336.190 and 336.200 shall be assessed a civil penalty of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) for each offense. Each act of violation, and each day during which such an agreement remains in effect, shall constitute a separate offense;
 - (c) Any employer who violates the provisions of KRS 336.220 shall be assessed a civil penalty of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) for each violation; and
 - (d) Any labor organization who violates KRS 336.135 shall be assessed a civil penalty of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) for each offense.
 - (e) Any public employer or labor organization that violates KRS 161.158, 164.365, 336.133, 336.134, 336.1341, 336.135, or 336.180 shall be assessed a civil penalty of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) for each offense.
- (3) Any labor organization, employer, or other person who directly or indirectly violates KRS 336.130(3) shall be guilty of a Class A misdemeanor.
- (4) Any person aggrieved as a result of any violation or threatened violation of KRS 336.130(3) may seek abatement of the violation or threatened violation by petitioning a court of competent jurisdiction for injunctive relief and shall be entitled to costs and reasonable attorney fees if he or she prevails in the action.
- (5) Any person injured as a result of any violation or threatened violation of KRS 336.130(3) may recover all damages resulting from the violation or threatened violation and shall be entitled to costs and reasonable attorney fees if he or she prevails in the action.

Effective: March 29, 2023

History: Amended 2023 Ky. Acts ch. 133, sec. 8, effective March 29, 2023. -- Amended 2022 Ky. Acts ch. 236, sec. 114, effective July 1, 2022. -- Amended 2017 Ky. Acts ch. 1, sec. 3, effective January 9, 2017; and ch. 6, sec. 3, effective January 9, 2017. -- Amended 2010 Ky. Acts ch. 24, sec. 1726, effective July 15, 2010. -- Amended 1990 Ky. Acts ch. 42, sec. 2, effective July 13, 1990. -- Amended 1974 Ky. Acts ch. 239, sec. 19. -- Amended 1972 Ky. Acts ch. 251, sec. 27. -- Amended 1962 Ky. Acts ch. 303, sec. 4. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 33a-8, 33a-13.