

### **339.210 Definition of "gainful occupation."**

As used in KRS 339.210 to 339.450:

- (1) "Gainful occupation" does not include employment in farm work or in domestic service in a private home, nor occasional employment by a householder in connection with the household and not in connection with the householder's business or occupation, such as grass cutting or carrying ashes or similar casual domestic tasks, nor the delivery of newspapers on regularly scheduled routes, nor to employment as an actor or performer in motion pictures or theatrical productions, or in radio or television productions, nor to employment of minors by their own parents or persons standing in the place of a parent in occupations other than manufacturing, mining, or those found by the commissioner of the Department of Workplace Standards to be particularly hazardous;
- (2) "Gainful occupation" does not include a minor who is at least twelve (12) years of age working as a referee, umpire, or official in a youth athletic program, subject to the following:
  - (a) The minor is a referee, umpire, or official for an age bracket younger than the minor's own age;
  - (b) An adult representing the youth athletic program is on the premises where the athletic event is occurring; and
  - (c) The minor has on file with the person responsible for assigning the minor to officiate for the youth athletic program the original or a copy of a written consent to the child's employment as a referee, umpire, or official signed by the minor's parent or guardian; and
- (3) "Gainful occupation" does not include participation in a work program established under KRS 339.335 by a minor who is twelve (12) or thirteen (13) years of age.

**Effective:** July 15, 2024

**History:** Amended 2024 Ky. Acts ch. 119, sec. 2, effective July 15, 2024. -- Amended 2014 Ky. Acts ch. 108, sec. 1, effective April 10, 2014. -- Amended 2010 Ky. Acts ch. 24, sec. 1770, effective July 15, 2010. -- Amended 2005 Ky. Acts ch. 123, sec. 41, effective June 20, 2005. -- Amended 1984 Ky. Acts ch. 256, sec. 1, effective July 13, 1984. -- Created 1948 Ky. Acts ch. 107, sec. 1.