

1 AN ACT relating to workplace safety.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔ SECTION 1. A NEW SECTION OF KRS CHAPTER 338 IS CREATED TO
4 READ AS FOLLOWS:

5 (1) As used in this section, "emergency action plan":

6 (a) Has the same meaning as in 29 C.F.R. sec. 1910.38; and

7 (b) Means the procedures and rules to follow in the event of fire, natural
8 disaster, or other threatening situation that may pose a health or safety
9 hazard to employees in the workplace.

10 (2) (a) Each employer shall create an emergency action plan. The plan shall be
11 written, kept in the workplace, and available for employees for review.

12 (b) For employers with ten (10) or fewer employees, the emergency action plan
13 does not need to be written and may be communicated orally to employees.

14 (c) The plan, whether communicated orally or in writing, shall be stated in the
15 language or languages spoken by employees.

16 (3) An emergency action plan shall include at a minimum:

17 (a) Procedures for employees to report a fire or other emergency;

18 (b) Procedures for emergency evacuation, including the type of evacuation and
19 exit route assignments;

20 (c) Procedures to be followed by employees who remain at the workplace to
21 operate critical plant operations before evacuating;

22 (d) Procedures to account for all employees after an evacuation;

23 (e) Procedures to be followed by employees who perform rescue or medical
24 duties; and

25 (f) The name or job title of every employee who may be contacted by an
26 employee who needs more information about the plan or an explanation of
27 his or her duties under the plan.

- 1 (4) Each employer shall establish and maintain an employee alarm system. The
- 2 employee alarm system shall have a distinctive signal for each purpose and
- 3 comply with the requirements of 29 C.F.R. sec. 1910.165.
- 4 (5) Each employer shall designate and train employees to assist in the safe and
- 5 orderly evacuation of other employees.
- 6 (6) Each employer shall review the emergency action plan with each employee
- 7 covered by the plan when the:
 - 8 (a) Plan is developed or the employee is assigned initially to a job;
 - 9 (b) Employee's responsibilities under the plan change; or
 - 10 (c) Plan is changed.