

Kentucky State Postings



KENTUCKY CHILD LABOR LAWS

HOURS OF WORK PERMITTED FOR MINORS 14 TO 18 YEARS OF AGE

AGE	MAY NOT WORK BEFORE	MAY NOT WORK AFTER	MAXIMUM HOURS WHEN SCHOOL IS IN SESSION	MAXIMUM HOURS WHEN SCHOOL IS NOT IN SESSION
14 & 15 years	7:00 A.M.	7:00 P.M. (8:00 P.M. June 1 through Labor Day)	Three (3) hours per week Eight (8) hours per day on non-school day Eighteen (18) hours per week	Eight (8) hours per day forty (40) hours per week
16 & 17 years	6:00 A.M.	10:30 P.M. preceding school day 1:00 A.M. preceding non-school day	Six (6) hours per day on school day Eight (8) hours per day on non-school day Thirty (30) hours per week	NO RESTRICTIONS
18 & 17 years with Parental Permission	6:00 A.M.	11:00 P.M. preceding school day 1:00 A.M. preceding non-school day	Six and one-half (6.5) hours per day on school day Eight (8) hours per day on non-school day Thirty-two and one-half (32.5) or forty (40) hours per week	NO RESTRICTIONS

School in session means the time established by local school district authorities, pursuant to KRS 190.290. Parental or guardian permission must be in writing and shall consist of the employer's place of business. A minor may work up to thirty-two and one-half (32.5) hours in any one (1) week if a parent or legal guardian gives permission in writing. A minor may work up to forty (40) hours in any one (1) week if a parent or legal guardian gives permission in writing and the principal or the school minor also certifies in writing that the minor has maintained at least a C grade point average in the most recent grading period. Such certification shall be valid for one (1) year unless revoked by the school authority. The parental permission and school certification shall remain at the employer's place of business.

Lunch Break: Minors under 18 years of age shall not be permitted to work more than five (5) hours continuously without an interval of at least thirty (30) minutes for a lunch period. The beginning and ending of the lunch period shall be documented by the employer.

OCCUPATIONS PROHIBITED FOR MINORS UNDER 18 YEARS OF AGE

- Occupations in or about Plants or Establishments
 - Manufacturing or Mining Operations or Mines
 - Containing Explosive Components.
- Motor-vehicle Driver and outside helper on a motor vehicle.
- Coal Mine Occupations.
- Logging or Sawmill Operations.
- Operation of Power-driven Woodworking machines.
- Exposure to Radioactive Substances.
- Power-driven hoisting apparatus, including hoists.
- Operation of Power-driven Metal Forming, punching, and shearing machines.
- Mining, other than coal mining.
- Operating power-driven metal processing equipment, including metal shapers and other stock shapers, in retail establishments such as grocery stores, restaurants, kilns and so on.
- Wholesale establishments, and most occupations in retail establishments, packing, processing, or redefining.
- Operation of Power-driven bakery machines including dough or batter mixers.
- Power-driven paper products machinery including paper paper and cardboard box compactors.
- Manufacturing bricks, tile, and kindred products.
- Power-driven agricultural saws, bands, and gasoline shears.
- Winching, demolition, and shrimping operations.
- Hoisting operations and work on or at a boat.
- Excavating Operations.
- In, about or in connection with any establishment where alcoholic liquors are distilled, rectified, condensed, brewed, manufactured, bottled, sold for consumption or dispensed unless permitted by the rules and regulations of the Alcoholic Beverage Control Board except they may be employed in places where the sale of alcoholic beverages by the package is merely incidental to the main business actually conducted.
- Four or higher railroad.

Limited exemptions for 16 and 17 year old apprentices and student-learners may apply. For questions, please call (602) 564-3324.

Minors fourteen (14) and not yet sixteen (16) years of age may NOT be employed in manufacturing, mining, or processing occupations, including occupations requiring the performance of any duties in woodshops or woodshops where goods are manufactured or otherwise processed or tending or tending of hoisting apparatus or any power-driven machinery other than office machines; operation of motor vehicles or service as helpers on such vehicles; public messenger service; occupations in connection with: (1) transportation of persons or mail, highways, air, water, pipeline, or other means; (2) warehousing and storage; (3) communications and public utilities; or (4) construction (including demolition and repair).

PROOF OF AGE REQUIRED FOR MINORS 14 BUT NOT 15 YEARS OF AGE: Driver's License, Birth Certificate, Government Document of Birth

Education and Labor Cabinet
Division of Wage and Hours
Maya-Underwood Building
500 Metro Street, 3rd Floor
Frankfort, Kentucky 40601
Phone: (502) 564-3324
e/cy.gov

POST THIS ORDER WHERE ALL EMPLOYEES MAY READ

No individual in the United States shall, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, be excluded from participation in, or denied the benefits of, or subjected to discrimination under any program or activity under the jurisdiction of the Education and Labor Cabinet.

REVISED April 2024

INFORMATION ABOUT UNEMPLOYMENT INSURANCE BENEFITS

EMPLOYERS ARE SUBJECT TO KENTUCKY UNEMPLOYMENT INSURANCE LAW. YOU MAY BE ELIGIBLE FOR UNEMPLOYMENT BENEFITS IF YOU LOSE YOUR JOB, ARE LAID OFF OR YOUR HOURS ARE REDUCED.

- Be unemployed through no fault of your own;
 - Be able and available to work and making a reasonable effort to obtain new work;
 - Register with work centers when you are unemployed.
- You also must meet many other eligibility requirements based on your earnings in the "base period," the first four of the five completed calendar quarters preceding your claim. These earnings also determine the amount of benefits you may be entitled to receive. Generally, if you have worked for more than a year and earned at least \$100 during your base period, you may meet the monetary requirements for a claim.
- IF YOU LOSE YOUR JOB OR ARE LAID OFF:**
- If your claim within the first week after you became unemployed at <https://adp.com/ky-ua> or by telephone at 502-675-0442 Monday through Friday, 7:30am-5:30pm ET (this is not a 24-hour line).
 - After that time your claim, the continuing claims to benefits while you are unemployed, through the web site or by toll-free telephone at 877-369-5844 or 877-3MY-KY.
- IF YOUR HOURS ARE REDUCED:**
- You may be eligible for partial benefits if you are still employed but your regular employer has not working less than your normal full-time hours due to lack of available work. Benefits are not paid in the case of reduction in hours due to total disability, voluntary or personal reasons.
- WORKERS' COMPENSATION ACCIDENTS:**
- If you missed at least seven weeks of earnings due to an injury in any quarter during your base period, and were eligible for Workers' Compensation together with or without a claim, you may be eligible to use wages earned before your injury to qualify for unemployment benefits. To qualify, you must file your claim within the first four weeks that you are unemployed following the period covered by Workers' Compensation. Contact your unemployment insurance office for more information.
- CONTRIBUTIONS TO THE UNEMPLOYMENT BENEFIT FUND ARE MADE BY EMPLOYERS.**
NO REDUCTIONS ARE MADE FROM EMPLOYEE WAGES FOR THIS PURPOSE.
- DO NOT COMMIT FRAUD—
- If you make a false statement in claiming benefits, you can be disqualified for up to 52 weeks. You could face other penalties as well including fines and imprisonment. If you are found to have committed fraud, all benefits fraudulently received must be repaid to the Division of Unemployment Insurance. Interest will accrue and there may be a civil fine for each week as well as a criminal fine.



Education and Labor Cabinet
Office of Unemployment Insurance
500 Metro St.
Frankfort, KY 40621

(REV. 11/12)

KENTUCKY LAW REQUIRES

EQUAL EMPLOYMENT OPPORTUNITY

THE KENTUCKY CIVIL RIGHTS ACT PROHIBITS EMPLOYMENT DISCRIMINATION REGARDING:

- COMPENSATION
- ADVERTISING
- TERMINATION OR HIRING
- LAYOFF
- RECALL
- PROMOTION
- TRANSFER
- TRAINING AND APPRENTICESHIP

In addition, under the KWRA it is unlawful for an employer to fail to make reasonable accommodations for any employee with limitations related to pregnancy, childbirth, or related medical conditions who requests an accommodation, including but not limited to: (1) the need for more frequent or longer breaks; (2) a need for a transfer from customer; (3) relocation or modification of equipment; (4) appropriate seating; (5) temporary transfer to a less strenuous or less hazardous position; (6) job restructuring; (7) light duty; modified work schedules; and (8) other adjustments that do not constitute a fundamental alteration of the essential functions of the job.

THE KENTUCKY CIVIL RIGHTS ACT PROHIBITS EMPLOYMENT DISCRIMINATION BASED ON:

- DISABILITY
- SEX
- RACE
- AGE (60 YEARS OLD AND OVER)
- RELIGION
- TOBACCO-SMOKING STATUS
- NATIONAL ORIGIN
- PREGNANCY (including childbirth and related medical conditions)

THE KENTUCKY CIVIL RIGHTS ACT PROHIBITS EMPLOYMENT DISCRIMINATION BY:

- EMPLOYERS
- LABOR ORGANIZATIONS
- EMPLOYMENT AGENCIES
- LICENSING AGENCIES

FINO KENTUCKY GUARANTEE OF EQUAL EMPLOYMENT OPPORTUNITY AT \$34,000-KRS 344.110.

FOR HELP WITH DISCRIMINATION, CONTACT THE KENTUCKY COMMISSION ON HUMAN RIGHTS

312 WHITTINGTON PARKWAY, SUITE 200,
LOUISVILLE, KENTUCKY 40222
PHONE: 502.592.4024
E-MAIL: KCM@KCM-KY.GOV
WEBSITE: KCHRKY.GOV

YOUTUBE: <https://www.youtube.com/watch?v=6W81tP8U800>

READ OR POST THIS NOTICE WHERE IT MAY BE PUBLICLY OBSERVED BY YOUR LAW.

104 Ky. Admin. Regs. 1.070 § 1.10234

WAGE DISCRIMINATION BECAUSE OF SEX

DEFINITIONS
KRS 337.423 AND 337.424 AND KRS 337.900 (1)

EMPLOYEE
Any individual employed by an employer, including but not limited to individuals employed by the State or any of its political subdivisions, instrumentalities, or instrumentalities of political subdivisions.

EMPLOYER
A person who has two or more employees within the State in each of twenty or more calendar weeks in the current or preceding calendar year and an agent of such person.

WAGE RATE
All compensation for employment, including payment in kind and amounts paid to employees for employee benefits, as defined by the Commissioner in regulations issued pursuant to KRS 337.425.

PROHIBITION OF THE PAYMENT OF WAGES BASED ON SEX:
The employer is prohibited from discriminating between employees of opposite sexes in the same establishment by paying different wages for comparable work on jobs which have comparable requirements. This prohibition covers all employees in any occupation in Kentucky. Any employee in violation shall not reduce the wages of any employee in order to comply with KRS 337.423 and 337.424.

EXEMPTIONS FROM COVERAGE:
A differential paid pursuant to an established seniority system or merit-increase system is permitted by KRS 337.423 if it does not discriminate on the basis of sex.

EMPLOYERS ARE REQUIRED TO:
Employees subject to the Fair Labor Standards Act of 1938, as amended, are excluded when that act imposes comparable or greater requirements than contained in KRS 337.423 and 337.424. However, if excluded, the employer must file with the Commissioner of the Kentucky Office of Workplace Standards a statement that it is covered by the Fair Labor Standards Act of 1938, as amended.

ENFORCEMENT OF LAW AND POWER TO INSPECT:
The Commissioner or the authorized agent has the power to enter the employer's premises to inspect records, compare those of work and operations of employees, question employees, and to obtain any information necessary to administer and enforce KRS 337.423 and 337.424. The Commissioner or the authorized representative may receive witnesses under oath, and require by subpoena the attendance and testimony of witnesses and the production of any documents or papers believed to be subject matter of an investigation undertaken pursuant to KRS 337.423. If it proves likely to be a subpoena, the Circuit Court of the Judicial District wherein the hearing is being held may issue an order requiring the subpoena to be obeyed. Failure to obey the court order may be punished as contempt of court.

COLLECTION OF UNPAID WAGES:
Any employer who discriminates based on sex is liable to the employee or employees affected in the amount of the unpaid wages. If the employer is in violation, he or she is liable for an additional equal amount as liquidated damages. The court may order other equitable relief, including reinstatement of employees discharged in violation of KRS 337.423 and 337.424.

STATUTE OF LIMITATIONS:
The employer or employees affected may maintain an action to collect the amount due. At the written request of any employee, the Commissioner may bring any legal action necessary to collect the claim for unpaid wages in behalf of the employee. An agreement between an employer and employees for less than the wages to which an employee is entitled will not bar any legal claim or voluntary wage litigation.

POSTING OF LAW:
All employers shall post this district in a conspicuous place in or about the premises wherever any employees are employed.

PENALTIES:
Any person who discharges or in any other manner discriminates against an employee as defined by this act shall: (a) be liable to the employee, the Commissioner or any other person, or (b) be liable to the State, in addition to the wages to which the employee is entitled, or (c) be fined or imprisoned for not more than \$10,000.

FOR FURTHER INFORMATION CONTACT:
No individual in the United States shall, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, be excluded from participation in, or denied the benefits of, or subjected to discrimination under any program or activity under the jurisdiction of the Education and Labor Cabinet.

Education and Labor Cabinet
Division of Wage and Hours
Maya-Underwood Building
500 Metro Street, 3rd Floor
Frankfort, Kentucky 40601
Phone: (502) 564-3324
www.ecy.gov

UPDATED April 2024

POST THIS ORDER WHERE ALL EMPLOYEES MAY READ

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Updated April 2024

SP-KY-E

KENTUCKY WAGE AND HOUR LAWS

MINIMUM WAGE = \$7.25 per hour (Effective July 1, 2009)

WAGES

PAYMENT OF WAGES:
Any employee who leaves or is discharged from employment shall be paid in full all wages or salary earned not later than the next normal pay period following the date of dismissal or voluntary resignation or termination (14 days following such date of dismissal or voluntary leaving whenever last worked).

UNLAWFUL FOR EMPLOYER TO WITHHOLD WAGES
No employer shall withhold from any employee's wages any part of the agreed wage rate, unless:

- The employer is required to do so by local, state, or federal law;
- When a deduction is expressly authorized in writing by the employee to cover insurance premiums, hospital, or medical dues;
- When a deduction is expressly authorized in writing by the employee for other deductions not amounting to a rebate or deduction from the standard wage arrived at by collective bargaining or pursuant to wage agreement or statute;
- Deductions for union dues where such deductions are authorized by just wage agreements or collective bargaining contracts negotiated between employees and employers or their representatives.

Employees shall deduct the following from the wages of employees:

- Fines
- Cash shortages in a common money bill, cash box or register used by two (2) or more persons;
- Breakfast;
- Losses due to acceptance by an employee of checks which are subsequently dishonored if such employee is given discretion to accept or reject any check;
- Losses due to accident or faulty workmanship, but not obtain property damage to property, theft of customer card or replacement for goods or services received by the customer if such losses are not attributable to employee's willful or intentional disregard of his or her employer's interest.

OVERTIME
No employer shall employ any employee for a workweek longer than forty hours unless such employee receives compensation for employment in excess of forty hours in a workweek. The rate of pay for time in excess of forty hours shall be not less than one and one-half the hourly rate employed.

TIME AND ONE HALF FOR WORK DONE ON SEVENTH DAY OF WEEK
Any employer who employs any employee's seven (7) days in one workweek shall pay the rate of time and one-half for the time worked on the seventh day. This shall not apply where an employee is not permitted to work more than forty (40) hours during the workweek.

TIPPED EMPLOYEES
Any employee engaged in an occupation which is more than \$30.00 per month is customarily and regularly receives tips, the employer may pay a minimum of \$2.13 per hour. The employer's records can establish for each week that credit is taken, when adding the tips received to wages paid, not less than the minimum wage is received by the employee. No employer shall:

- Require an employee to remit to the employer any gratuity, or any portion thereof, except for the purpose of withholding amounts required by federal or state law;
- Employers may enter into an agreement to divide tips among themselves.

If employees enter into this type of agreement, the amounts retained by the employees shall be considered tips of the individuals who retain them. If an employer requires the use of a tip pool, then the amount used to hold the tip pool shall be segregated from the employer's other business records and the employer shall make the account open to the pool's participants.

PERFORMANCE BONDS: Performance bonds must be kept on file for employees in the construction and mining industries (including the transportation of materials) who have conducted work under a Contract for more than five (5) consecutive years. For more information, see KRS 337.200.

Certain exemptions from minimum wage and overtime apply. For questions, please call (502) 564-3324.

BREAKS
REST PERIODS: No employer shall require any employee to work without a rest period of at least ten (10) minutes during each four (4) hours workweek. This shall be in addition to the regularly scheduled lunch period. No reduction in compensation shall be made for such rest periods.

LUNCH PERIODS: Employer shall grant their employees a reasonable period for lunch, and such time shall be close to the middle of the employee's scheduled work shift as possible. In no case shall an employee be required to take a lunch period shorter than three (3) hours after the work shift commences, nor more than five (5) hours from the time the work shift commences. The employer shall not be construed to negate any provision of a collective bargaining agreement or mutual agreement between the employee and employer.

RECORD RETENTION: ONE (1) YEAR AFTER ENTRY
Every employer subject to the provisions of the Kentucky Minimum Wage Law shall make and preserve records containing the following information:

- Name, address, and Social Security Number of each employee;
- Hours worked each day and each week; by each employee;
- Regular hourly rate of pay;
- Overtime hourly rate of pay for hours in excess of four hours in a workweek;
- (b) Additional cash wages at rest, or deductions (meal, board, lodging, etc.) from stipulated wages in the amount deducted, or a cost of the item for which deductions are made;
- Total wages paid for each workweek and date of payment.

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UPDATED April 2024

Notice to Employers / Employees
Your state has the new minimum wage law which requires posting a notice regarding the aspects of that law. Employees are still required to post the Federal Minimum Wage notice from the U.S. Dept. of Labor / Fair Labor Standards Act in addition to the state posting. According to the Dept. of Labor, where Federal and state laws have different minimum wage rates, the higher standard applies.

This Posting is for Informational Purposes Only

WORKERS' COMPENSATION Notice to Employers/ Employees
This is not intended to represent the law, nor does it replace any Workers' Compensation notices or requirements with your state. Employees: Place your notice of compliance/certification of insurance with Workers' Compensation notices from your insurance carrier next to this poster. Employers: Post your notice of compliance/certification of insurance from your Employer's Insurance Carrier if you have any further inquiries, please contact your personal office.

This Posting is for Informational Purposes Only

C0619

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Safety and Health on the Job

Kentucky Revised Statute (KRS) Chapter 338 establishes a program for protecting occupational safety and health. This notice contains the safety and health protections for public and private sector employees working in the Commonwealth of Kentucky and must be prominently displayed in the workplace.

Employer Responsibilities: Employers shall furnish employment and places of employment which are free from recognized hazards that are causing, or are likely to cause, death or serious physical harm to employees; and comply with the occupational safety and health regulations, standards, and rules issued pursuant to KRS 338. Employers must provide information and training on hazards in the workplace including all hazardous substances. Required training must be provided to all employees in a language or dialect they understand. It is illegal to retaliate against an employee for exercising any of their rights under the law, including raising a safety and health concern or reporting a work-related injury or illness.

Employees Responsibilities: Employees shall comply with the occupational safety and health regulations, standards, and rules issued pursuant to KRS 338 which are applicable to their own actions and conduct.

Records: Employees may request from their employer copies of their medical records, tests that measure hazards in the workplace, as well as the injury and illness log.

Standards: Kentucky's occupational safety and health standards are adopted by the Kentucky Occupational Safety and Health Standards Board. The Board consists of 12 members, comprised of the members of Education and Labor who serves as Chair, and 12 other Secretary equally representing agriculture, industry, labor, and the safety and health profession. The Board meets annually and additionally as needed. All meetings are open to the public.

Inspections: The Division of Occupational Safety and Health Compliance conducts workplace inspections to determine the cause or prevent the occurrence of occupational injuries and illnesses. During an inspection a representative of the employer and a representative authorized by the employees are given an opportunity to accompany the Compliance Officer for the purpose of aiding the inspection. Where there is no authorized employee representative, the Compliance Officer must consult with a reasonable number of employees regarding safety and health at the workplace.

Complaints: Employees or their authorized representative have the right to file a complaint with the Division of Occupational Safety and Health concerning an inspection if they believe a hazardous condition exists in their workplace. The name of the complainant will be kept confidential upon request.

Discrimination Provisions: Employees are protected against discharge and other discriminatory actions for having filed complaints and exercising any other right provided by the occupational safety and health laws. Employees who feel they have been so discriminated against may file a complaint with the Education and Labor Cabinet within 120 days of the date of the discrimination. Private sector employees also have the option of filing discrimination complaints with the U.S. Department of Labor at dhs.gov within 30 days of the alleged discrimination. Complaint forms are available at ecy.gov.

TEAM KENTUCKY
EDUCATION AND LABOR CABINET
Occupational Safety and Health

Objectives: A citation alleging violation of a Kentucky occupational safety and health law(s) or regulation(s) may be issued to an employer following an inspection. The citation(s) is provided to the employer and specifies an abatement date by which the alleged violation is corrected. To inform employees of the citation(s), Notices of citation(s) at or near the location of the alleged violation for three (3) days until the violation is corrected, whichever is longer.

Proposed Penalties: An employer may be assessed a penalty up to \$7,000 for each serious violation and up to \$7,000 for each other-than-serious violation. Failure to correct a violation within the specified time period may result in penalties up to \$7,000 per day. An employer who commits a willful or repeat violation(s) may be assessed a penalty up to \$70,000 for each violation and not less than \$5,000 for each willful violation.

Contesting Procedures: An employer who has been cited may contest the action before the Kentucky Occupational Safety and Health Review Commission. Equally, any employee or employee representative of an employer who has been cited may contest the action. Any party wishing to contest a citation must notify the Division of Occupational Safety and Health Compliance in writing of its intent to do so. Notices of contest must be postmarked within 15 working days of receipt by the Review Commission. Notices of contest will be transmitted to the Review Commission in accordance with its rules.

Recordkeeping: Employers are required to maintain records of occupational fatalities, injuries, and illnesses experienced by their employees. Records must be kept using OSHA 300, 300-A, 301, or equivalent forms. Certain employers are required to submit injury and illness data electronically at osha.gov/electronicreporting/ita. Illnesses requested to do so by the U.S. Bureau of Labor Statistics, employees with 10 or fewer employees, and those in establishments with less than 100 employees. The American Industry Classification System code are exempt from recordkeeping requirements.

Reporting: Employees must report to the Division of Occupational Safety and Health Compliance the work-related death of an employee, including death resulting from a heart attack within 8 hours from when the incident is reported to the employer, the employer's agent, or another employee. Work-related incidents resulting in the loss of an eye, amputation, or the in-patient hospitalization of an employee, including hospitalization resulting from a heart attack, must be reported to the Division of Occupational Safety and Health Compliance within 72 hours from when the incident is reported to the employer, the employer's agent, or another employee. Mechanical power press point-of-operation injuries must be reported to the Division of Occupational Safety and Health Compliance within 30 days of the occurrence. Employees have a right to report a safety and health concern or report a violation, see, notations on injury and illness, retaliation or discrimination, or be subjected to discrimination under any program or activity under the jurisdiction of the Education and Labor Cabinet.

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Education and Labor Cabinet
Maya-Underwood Building
500 Metro Street, 3rd Floor
Frankfort, KY 40601
(502) 564-3070
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Updated April 2024