

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 day on school days 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 193.290. Parental or guardian permission must be in writing and shall occur at the employer's place of business. A minor may work up to thirty-two and one-half (32.5) hours in any one (1) workweek if a parent or legal guardian gives permission in writing. A minor may work up to forty (40) hours in any one (1) workweek if a parent or legal guardian gives permission in writing and the principal or the school the minor has attended certifies in writing that the minor has maintained at least a C grade point average in the most recent grading period. This certification must be valid for one (1) year unless renewed sooner 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 Explosives or Arsenic Containing Explosive Composites.
- Motor-vehicle Driver and outside helper on a motor vehicle.
- Coal Mine Occupations.
- Logging or Sawmill Operations.
- Operation of Power-Driven Working 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 rooms, in retail establishments such as grocery stores, restaurants, kilns and any other place where wholesale establishments, and most occupations in retail slaughtering, packing, processing, or rendering.
- Operation of power-driven bakery machines including dough or batter mixers.
- Power-driven paper products machinery including paper baler and cardboard box compactors.
- Manufacturing bricks, tile, and kindred products.
- Power-driven agricultural saws, band saws, and gasoline shears.
- Wringing, demerol, and shipmaking operations.
- Hoisting operations and at work on or at a boat.
- Excavating Operations.
- In, about or in connection with any establishment where alcoholic beverages are distilled, rectified, compounded, brewed, manufactured, bottled, added for consumption or otherwise 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 (4) Billiard Room.

Limited exemptions for 16 and 17 year old apprentices and student-learners may apply. For questions, please call (602) 564-3234.

Minors fourteen (14) but not sixteen (16) years of age may NOT be employed in manufacturing, mining, or processing occupations, including occupations requiring the performance of any duties in warehouses or workplaces where goods are manufactured or processed, or otherwise require the operation or tending of hoisting apparatus or any power-driven machinery other than office machines; operation of motor vehicles or service as heliers on such vehicles; public messenger service; occupations in connection with (1) transportation of persons or property by rail, highway, 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 17 YEARS OF AGE
Driver's License, Birth Certificate, Government Document or Date of Birth

Education and Labor Cabinet
Division of Wage and Hours
Major Administrative Building
500 West Street, 3rd Floor
Frankfort, Kentucky 40601
Phone: (602) 564-3234
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

Safety and Health on the Job



Kentucky Revised Statute (KRS) Chapter 338 establishes a program for protecting occupational safety and health. This mandatory poster details the safety and health protections for public and private sector employees working in the Commonwealth 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. Employees 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 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.

Employee 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 activities and conduct.

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

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 Secretary of Education and Labor who serves as Chair, and 12 other members 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 Commission 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 Commission requesting an inspection if they believe a hazardous condition(s) exists in their workplace. The name of the complainant is 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 file a complaint with the Education and Labor Cabinet within 30 days of the alleged discrimination. Private sector employees also have the option of filing discrimination complaints with the U.S. Department of Labor at eola.gov within 30 days of the alleged discrimination. Complaint forms are available at eola.gov.

Citation: A citation(s) 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 to which the alleged violation must be corrected. To inform employees, the employer must post each citation at or near the location of the alleged violation for 3 days or until the violation is corrected, whichever is longer.

Proposed Penalties: An employer may be assessed penalties 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. Any employer who commits a willful or repeat violation may be assessed a penalty up to \$70,000 for each violation and not less than \$5,000 for each willful violation.

Contesting Penalties: An employer who has been fined 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 also contest the action. Any party wishing to contest a citation must notify the Division of Occupational Safety and Health Commission in writing of its intent to do so. Notices of contest must be postmarked within 15 working days of receipt by the employer of the citation(s). 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, and 301, or equivalent forms. Certain employees are required to submit injury and illness data electronically at osha.gov/electronicreporting. Unless requested to do so by the U.S. Bureau of Labor Statistics, employers with 10 or fewer employees, or whose establishments are located within an approved North American industry Classification System code are exempt from recordkeeping requirements.

Reporting: Employers must report to the Division of Occupational Safety and Health Commission a 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 less than one year, an amputation, or the in-patient hospitalization of an employee, including hospitalization resulting from a heart attack, must be reported within 24 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 Commission within 30 days of the occurrence. Employees have a right to report a safety and health concern or a work-related injury or illness without being retaliated against.

Education and Training Services: The Division of Occupational Safety and Health Commission provides training and safety services to employers preventing workplace injuries. Incentives by developing and improving their workplace safety management programs. All assistance, such as on-site audits, consultation, and training, is provided cost-free upon request.

Kentucky provides occupational safety and health protections under a plan approved in 1973 by the U.S. Department of Labor. Questions and concerns regarding Kentucky's program may be addressed to the Education and Labor Cabinet, Office of Federal-State Operations, The U.S. Department of Labor monitors Kentucky's program. Any person who has a complaint regarding the administration of the Kentucky program may contact the U.S. Department of Labor, OSHA, Atlanta Federal Center, 611 Forsyth Street SW, Atlanta, Georgia 30303; (877) 527-4040.

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Individuals with disabilities who are unable to access this poster may request a large print or Braille version of this poster by contacting the Education and Labor Cabinet at (602) 564-3234.

Education and Labor Cabinet
Division of Wage and Hours
Major Administrative Building
500 West Street, 3rd Floor
Frankfort, KY 40601
(602) 564-3070
eola.gov



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Updated June 2023

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 when you are unemployed.
- You must also 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 becoming unemployed at <http://adelpoint.ky.gov> or by telephone at 502-475-9442 Monday through Friday, 7:30am-5:30pm ET (this is not a 24-hour line).
 - After that your claim: the continuing claims to weekly benefits you are unemployed, through the web site or by toll-free telephone at 877-369-5844 or 877-3MY-KY.
- If FOUR HOURS ARE REDUCED:
- You may be eligible for partial benefits if you still employ 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 (either or not you know it), you may be able to use wages earned before your injury to qualify for unemployment benefits. To qualify, you must lose your claim within the first four weeks that you are unemployed following the period covered by Workers' Compensation. Contact your nearest Unemployment Insurance office for more information.
- CONTRIBUTIONS TO THE UNEMPLOYMENT BENEFIT TRUST 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 up to \$1,000 as well as a criminal fine.



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

KENTUCKY LAW REQUIRES EQUAL EMPLOYMENT OPPORTUNITY

THE KENTUCKY CIVIL RIGHTS ACT PROHIBITS EMPLOYMENT DISCRIMINATION REGARDING:

- RECRUITMENT
- ADVERTISING
- HIRING
- PLACEMENT
- PROMOTION
- TRAINING AND APPRENTICESHIP
- TERMINATION OR LAYOFF
- PHYSICAL FACILITIES
- OTHER BENEFITS, CONDITIONS OR PRIVILEGES OF EMPLOYMENT

In addition, under the KWFEA 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 modified work schedule; (3) relocation or modification of assignment; (4) appropriate safety; (5) temporary transfer to a less strenuous or less hazardous position; (6) job restructuring; (7) light duty; modified work schedule; and (8) other actions that do not constitute a disparate treatment.

FIND KENTUCKY'S GUARANTEE OF EQUAL EMPLOYMENT OPPORTUNITY AT KRS 344.030-KRS 344.110.

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

312 WHITTINGTON PARKWAY, SUITE 200,
LOUISVILLE, KENTUCKY 40222
PHONE: 502.595.4024
E-MAIL: KCRH@KCRHGOV.GOV
WEBSITE: KCRHGOV.GOV

TOLL-FREE: 800.292.5696 FAX: 502.896.5230
E-MAIL: KCRH@KCRHGOV.GOV
WEBSITE: KCRHGOV.GOV

YOUTUBE: www.kentuckycommissiononhumanrights.org

READ OR POST THIS NOTICE WHERE IT MAY BE PUBLICLY OBSERVED BY EMPLOYEES
104 Ky. Admin. Regs. 1.070 § 1

WAGE DISCRIMINATION BECAUSE OF SEX

DEFINITIONS
KRS 337.420 to 337.435 and KRS 337.900 to 11)

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 Commission 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 wage rates for comparable work on jobs which have comparable requirements. This prohibition covers all employees in any occupation in Kentucky. Any employer in violation shall not reduce the wages of any employee (to or to work with KRS 337.420 - 337.435).

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

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 their work and operations of employees, question employees, and to obtain any information necessary to administer and enforce KRS 337.420 - 337.435. 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 belonging to the subject matter of any investigation undertaken pursuant to KRS 337.425. If it proves liable 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 order may be punished as contempt of court of the Circuit Court.

COLLECTION OF UNPAID WAGES:
An 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 unable to pay, he 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 337.420 - 337.435.

STATUTE OF LIMITATIONS:
Court action may be commenced not later than six months after the cause of action occurs.

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

PENALTIES:
Any person who discriminates or in any other manner discriminates against an employee because such employee has: (a) made any charge or in any manner, the Commissioner or any other person, or (b) notified or caused to be notified any proceeding under or related to KRS 337.420 - 337.435, or (c) testified or is about to testify in any such proceeding, shall be assessed a civil penalty of not less than \$100 nor more than \$1,000.

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." UPDATED April 2024

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www.eola.gov

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Updated June 2023

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 leaving or fourteen (14) days following the date of dismissal or voluntary leaving whichever last occurs.

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

- The employee 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; or
- When a deduction is expressly authorized in writing by the employee for other deductions not amounting to a rebate of deductions received in the standard wage arrived at by collective bargaining or pursuant to wage agreement or statute; or
- 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 company mail, 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; or
- Losses due to accident or faulty workmanship, but not obtain property damage to property, or default of customer credit or repayment for goods or services received by the customer if such losses are not attributable to employee's willful or intentional disregard of his 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 at the rate of at least 1 1/2 times the regular rate of pay for each hour worked that is 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 normally no less than \$20 per hour in customary and regularly received tips, the employer may pay a minimum of \$2.13 per hour. The employer's records shall be maintained for each credit taken in claim, 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 remain in the company's possession by employees toward the payment of the minimum wages;
- 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) and for employees in the construction industry who work 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 (602) 564-3234.

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 work shift. This shall be in addition to the regularly scheduled lunch period. No reduction in compensation shall be made for such rest periods.

LUNCH PERIODS: Employees 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 if possible. In no case shall an employee be required to take a lunch period longer than three (3) hours after the work shift commences, nor more than five (5) hours from the time the work shift commences. An employer shall not contract 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 forty hours in a workweek;
- (a) Additions to 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 its own 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 / 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 replace the law, nor does it replace any Workers' Compensation outlining requirements within your state.

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eola.gov

ADP logo with tagline 'Always Designing for People'