

803 KAR 2:180. Recordkeeping; reporting; statistics.

Section 1. Definitions. (1) "Amputation" means an injury in which a portion of the body including bone tissue, is removed.

(2) "Employee" is defined by KRS 338.015(2).

(3) "Employer" is defined by KRS 338.015(1).

(4) "Occupational Safety and Health Act" means KRS Chapter 338.

(5) "Secretary of Labor" means the Secretary of the United States Department of Labor or the Commissioner of the Department of Labor, Environmental and Public Protection [Secretary of the Kentucky Labor] Cabinet.

(6) "Section 11(c) of the Act" means KRS 338.121(3).

Section 2. Employers shall comply with the requirements for reporting and recording of occupational injuries and illnesses established at 29 C.F.R. Part 1904, revised as of July 1, 2005, as amended by the definitions in Section 1 of this administrative regulation and the requirements in Section 3 of this administrative regulation.

Section 3. Reporting Fatalities, Amputations, or In-Patient Hospitalizations. (1) Employers shall orally report to the Kentucky Department of Labor, Office of Occupational Safety and Health, Division of Compliance, at (502) 564-3070, any work-related incident which results in the following:

(a) The death of any employee; or

(b) The hospitalization of three (3) or more employees.

(2) The report required under subsection (1) of this section shall be made within eight (8) hours from when the incident is reported to the employer, the employer's agent, or another employee. If the employer cannot speak with someone in the Frankfort office, the employer shall report the incident using the OSHA toll-free, central telephone number, 1-800-321-OSHA (1-800-321-6742).

(3) Effective November 1, 2006, through December 31, 2008, employers shall orally report to the Kentucky Department of Labor, Office of Occupational Safety and Health, Division of Compliance, at (502) 564-3070, any work-related incident which results in the following:

(a) An amputation suffered by an employee; or

(b) The hospitalization of fewer than three (3) employees within seventy-two (72) hours following the incident.

(4) The report required under subsection (3) of this section shall be made within seventy-two (72) hours from when the incident is reported to the employer, the employer's agent, or another employee.