

338.141 Issuance of citation by commissioner -- Additional time for compliance -- Hearing.

- (1) If upon inspection an authorized representative of the commissioner finds that an employer has violated any requirement of this chapter, a citation shall be issued to the employer. Each citation shall describe the alleged violation, establish the time period permitted for correction by fixing a reasonable date by which the alleged violation shall be eliminated, and propose the civil penalty to be paid. If within fifteen (15) working days from the receipt of the citation an employer, employee, or representative of the employees fails to notify the commissioner that he or she intends to contest the citation, then the citation shall be deemed a final order of the review commission and not be subject to review by any court or agency.
- (2) The commissioner, upon determination that an employer is acting in good faith to correct the cited violation, may grant additional time for compliance upon application by the employer.
- (3) If an employer, employee, or representative of the employees notifies the commissioner that he or she intends to challenge a citation issued under this section or under KRS 338.131, the commissioner shall notify the review commission of such notification and the review commission shall afford an opportunity for a hearing.
- (4) In the case of any review proceedings initiated by an employer, employee, or representative of the employees under this chapter, the time period permitted for correction of cited violations may be extended by the review commission.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 1761, effective July 15, 2010. -- Amended 1972 (1st Extra. Sess.) Ky. Acts ch. 7, sec. 1. -- Created 1972 Ky. Acts ch. 251, sec. 15.