

342.640 Coverage of employees.

The following shall constitute employees subject to the provisions of this chapter, except as exempted under KRS 342.650:

- (1) Every person, including a minor, whether lawfully or unlawfully employed, in the service of an employer under any contract of hire or apprenticeship, express or implied, and all helpers and assistants of employees, whether paid by the employer or employee, if employed with the knowledge, actual or constructive, of the employer;
- (2) Every executive officer of a corporation;
- (3) Every person in the service of the state or any of its political subdivisions or agencies, or of any county, city of any class, school district, drainage district, tax district, public or quasipublic corporation, or other political entity, under any contract of hire, express or implied, and every official or officer of those entities, whether elected or appointed, while performing his official duties shall be considered an employee of the state. Every person who is a member of a volunteer ambulance service, fire, or police department shall be deemed, for the purposes of this chapter, to be in the employment of the political subdivision of the state where the department is organized. Every person who is a regularly-enrolled volunteer member or trainee of an emergency management agency, as established under KRS Chapters 39A to 39E, shall be deemed, for the purposes of this chapter, to be in the employment of this state. Every person who is a member of the Kentucky National Guard, while the person is on state active duty as defined in KRS 38.010(4), shall be deemed, for the purposes of this chapter, to be in the employment of this state;
- (4) Every person performing service in the course of the trade, business, profession, or occupation of an employer at the time of the injury; and
- (5) Subject to the provisions in subsection (4) of this section, every person regularly selling or distributing newspapers on the street or to customers at their homes or places of business. For the purposes of this chapter, the person shall be deemed an employee of an independent news agency for whom he is selling or distributing newspapers, or, in the absence of an independent agency, of each publisher whose newspapers he sells or distributes.

Effective: July 15, 1998

History: Amended 1998 Ky. Acts ch. 226, sec. 110, effective July 15, 1998. -- Amended 1996 (1st Extra. Sess.) Ky. Acts ch. 1, sec. 28, effective December 12, 1996. -- Amended 1992 Ky. Acts ch. 307, sec. 11, effective April 9, 1992. -- Amended 1987 (1st Extra. Sess.) Ky. Acts ch. 1, sec. 52, effective October 26, 1987. -- Amended 1986 Ky. Acts ch. 271, sec. 1, effective July 15, 1986. -- Amended 1976 Ky. Acts ch. 161, sec. 3. -- Created 1972 Ky. Acts ch. 78, sec. 4, effective January 1, 1973.

Legislative Research Commission Note (12/12/96). 1996 (1st Extra. Sess.) Ky. Acts ch. 1, sec. 28 stated that it was amending this statute, but the proposed changes to the statute were eliminated by legislative action on this Act although the statute itself was not deleted from the bill.