



1961 Diamond Springs Road
Virginia Beach, VA 23455
Phone (757) 460-6308
Fax (757) 460-0317

KENTUCKY EMPLOYEES

MANCON Employees,

Included in this packet is the following information:

1. Child Labor Laws (English and Spanish)
2. Equal Employment Opportunity
3. Safety and Health on the Job
4. Sex Discrimination (English and Spanish)
5. Unemployment Compensation
6. Wage and Hour (English and Spanish)
7. Workers Compensation
8. First Aid (English and Spanish)

If you have any questions, please contact your supervisor.

Thanks,
Human Resources

KENTUCKY CHILD LABOR LAWS



HOURS OF WORK PERMITTED FOR MINORS 14 BUT NOT YET 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 Yrs.	7:00 A.M.	7:00 P.M. (9:00 P.M. June 1 through Labor Day)	3 Hours per day on a school day 8 Hours per day on a nonschool day 18 Hours per week	8 Hours per day 40 Hours per Week
16 & 17 Yrs.	6:00 A.M.	10:30 P.M. preceding a school day/1:00 A.M. preceding a nonschool day	6 Hours per day on a school day 8 Hours per day on a nonschool day *30 Hours per week (see asterisk below)	NO RESTRICTIONS

* A minor 16 or 17 years of age cannot work more than thirty (30) hours in any one (1) workweek when school is in session, except that 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 head of the school the minor attends certifies in writing that the minor has maintained at least a 2.0 grade point average in the most recent grading period. School certification shall be valid for one (1) year unless revoked sooner by the school authority. The parental permission and school certification shall remain at the employer’s place of business.

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.

Definitions: Section 1. (1) “School in session” means that time as established by local school district authorities, pursuant to KRS 160.290.

Minors 14 but not yet 16 years of age may NOT be employed in: Any manufacturing, mining, or processing occupations, including occupations requiring the performance of any duties in workrooms or workplaces where goods are manufactured, mined, or otherwise processed; occupations which involve the operation 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: Transportation of persons or property by rail, highway, air, water, pipeline, or other means, warehousing and storage, communications and public utilities, construction (including demolition and repair).

OCCUPATIONS PROHIBITED FOR ALL MINORS UNDER 18 YEARS OF AGE

1. Occupations in or about Plants or Establishments Manufacturing or Storing Explosives or Articles Containing Explosive Components.

2. Motor-vehicle Driver and outside helper on a motor vehicle.

3. Coal Mine Occupations.

4. Logging or Sawmill Operations.

5. Operation of Power-Driven Woodworking machines.

6. Exposure to Radioactive Substances.

7. Power-driven hoisting apparatus, including forklifts.

8. Operation of Power-Driven Metal Forming, punching, and shearing machines.

9. Mining, other than coal mining.

10. Operating power-driven meat processing equipment, including meat slicers and other food slicers, in retail establishments (such as grocery stores, restaurants, kitchens and Delis), wholesale establishments, and most occupations in meat slaughtering, packing, processing, or rendering.
11. Operation of Power-driven bakery machines including vertical dough or batter mixers.

12. Power-driven paper products machines including scrap paper baler and cardboard box compactors.

13. Manufacturing bricks, tile, and kindred products.

14. Power-driven circular saws, band saws, and Guillotine shears.

15. Wrecking, demolition, and shipbreaking operations.

16. Roofing operations and all work on or about a roof.

17. Excavating Operations.

18. In, about or in connection with any establishment where alcoholic liquors are distilled, rectified, compounded, 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).

19. Pool or Billiard Room.

PROOF OF AGE REQUIRED FOR MINORS 14 BUT NOT YET 18 YEARS OF AGE

Drivers License, Birth Certificate, Government Document with Date of Birth

FOR FURTHER INFORMATION CALL:
Kentucky Department of Labor
Division of Employment Standards,
Apprenticeship and Training
1047 U.S. HWY 127 South, Suite 4
Frankfort, Kentucky 40601-4381
Phone (502) 564-3070 Fax (502) 564-2248
Website: www.labor.ky.gov

“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 be subjected to discrimination under any program or activity under the jurisdiction of the Kentucky Department of Labor.”



POST THIS ORDER WHERE ALL EMPLOYEES MAY READ

PAID FOR WITH STATE FUNDS

Ley de Labor para Menores en Kentucky

Horas de trabajo permitidas para menores de 14 años y que no han cumplido los 18 años de edad

EDAD	NO DEBE TRABAJAR ANTES DE	NO DEBE TRABAJAR DESPUES DE	HORAS MAXIMAS CUANDO LA ESCUELA ESTA EN SESION	HORAS MAXIMAS CUANDO LA ESCUELA NO ESTA EN SESION
14 Y 15AÑOS	7:00AM	7:00PM (9:00PM del 1 de Junio hasta el día de la labor)	3 horas por día en un día de escuela 8 horas por día en un día de no escuela 18 horas por semana	8 horas por día 40 horas por semana
16 Y 17 AÑOS	6:00AM	10:30PM noche anterior a día de escuela 1:00AM noche anterior a un día de no escuela	6 horas por día en un día de escuela 8 horas por día en un día de no escuela *30 horas por semana (mirar asterisco debajo)	NO RESTRICCIONES

*Un menor de 16 o 17 años de edad no debe trabajar mas de 30 horas a la semana cuando la escuela esta en sesión, a excepción de un menor que puede trabajar 40 horas en una semana y que los padres o guardianes le hayan dado permiso por escrito para trabajar las 40 horas; además, el director o cabeza principal de la escuela a la cual el menor asiste debe hacer una certificación escrita de que el menor mantiene por lo menos un promedio académico de 2.0 en el reporte de calificaciones mas reciente. Esta certificación escolar debe ser valida por un año a menos que las autoridades escolares la suspendan antes. El permiso de los padres o guardianes y la certificación escolar debe permanecer en el lugar de negocios del empleador.

A menores de 18 años de edad no se les debe permitir trabajar más de 5 horas continuas sin un intervalo de por lo menos 30 minutos de almuerzo.

Definiciones: Sección 1. (1) “Escuela en Sesión” significa que el tiempo establecido por las autoridades distritales de la escuela local sigue a la KRS 160.290.

Menores de 14 años que no llegan a los 16 anos de edad no deben ser empleados en: ninguna fabrica, mina, u ocupación de procesos, incluyendo ocupaciones que requieren la realización de funciones en cuartos de trabajo o lugar de trabajo donde los productos son fabricados, explotados, o procesados; ocupaciones que envuelvan la operación o atención de aparatos o de levantamientos o ninguna maquina de poder que no sea maquinas de oficina; operación de vehículos de motor o como ayudante con esos vehículos; servicio de mensajero publico; ocupaciones conectadas con: transportación de personas o propiedades por tren, autopista, aire, aguas, tuberías, u otros almacenes y almacenamientos, comunicaciones y utilidades publicas, y construcciones (incluyendo demoliciones y reparaciones).

Ocupaciones Prohibidas para todos los menores de 18 años de edad

- 1) Ocupaciones cerca de plantas o establecimientos de fábricas o almacenes de explosivos, o artículos que contengan componentes explosivos.

2) Conductor de vehículos de motor y ayudante de conductor.

3) Ocupaciones en minas de carbón.

4) Operaciones de troncos/maderas o aserraderos.

5) Operaciones de maquinarias de poder que trabajen con madera.

6) Exposición a sustancias radioactivas.

7) Operación de aparatos de poder.

8) Operación de maquinas de poder de formación de metales, perforadoras, y cortadoras.

9) Minas, otras que no sean de carbón.

10) Matanza, procesamiento, o empacamiento de carnes.

11) Operación de maquinarias de horno.

12) Operación de maquinarias de productos de papel.
- 13) Fabricación de ladrillos, techos, pisos, paredes, y productos parecidos.

14) Operación de serruchos circulares, serruchos de bandas, y tijeras de guillotina.

15) Operaciones de destrucción, demolición, y rompimiento de barcos.

16) Operaciones de techos.

17) Operaciones de excavaciones.

18) Dentro, cerca, o en conexión con cualquier establecimiento donde bebidas alcohólicas están siendo destiladas, rectificadas, mezcladas, manufacturadas, embotelladas, y vendidas para consumo o distribución, a menos que sea permitido por las reglas y regulaciones del panel de control de bebidas alcohólicas (excepto que los menores deben ser empleados en lugares donde la venta de bebidas alcohólicas por paquetes es irrelevante al negocio principal del empleador).

19) Cuarto de mesa de billar.

Prueba de edad es requerida a menores de 14 años y los que aun no cumplen 18 años de edad

Para mas información contacte al:

KENTUCKY DEPARTMENT OF LABOR
DIVISION OF EMPLOYMENT STANDARDS, APPRENTICESHIP AND TRAINING
1047 US HWY 127 S STE 4
FRANKFORT, KY 40601-4381
PHONE (502)564-3070 FAX (502)564-2248
www.labor.ky.gov

PONGA ESTA ORDEN DONDE TODOS LOS EMPLEADOS PUEDAN LEERLA
Pagada con recursos del estado

“Ningún individuo en los Estados Unidos debe, por motivos de raza, color, religión, sexo, nacionalidad, origen, edad, incapacidad, partido político, o creencia, ser excluido de participar en, o ser negado de los beneficios de, o ser sujeto a discriminación en, ningún programa o actividad en la jurisdicción del Departamento de Trabajo de Kentucky”



Kentucky Law Requires

EQUAL EMPLOYMENT OPPORTUNITY



If you believe you
have experienced
discrimination, contact:

KENTUCKY COMMISSION ON HUMAN RIGHTS

The Heyburn Building, Suite 700
332 West Broadway
Louisville, KY 40202
Call Toll Free 1-800-292-5566
Or (502) 595-4024
TDD (502) 595-4084



Kentucky
COMMONWEALTH

Posting this notice is required by law

The Kentucky Civil Rights Act
prohibits discrimination by:

- ▶ Employers
- ▶ Labor Organizations
- ▶ Employment Agencies
- ▶ Licensing Agencies

Safety and Health on the Job



Kentucky Occupational Safety and Health Program

Kentucky Revised Statute (KRS) Chapter 338 establishes within the Department of Labor 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.

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 shall comply with the occupational safety and health regulations, standards, and rules issued pursuant to KRS 338.

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 actions and conduct.

Standards: Kentucky's occupational safety and health standards are adopted and promulgated by the Kentucky Occupational Safety and Health Standards Board. The Board consists of 13 members, comprised of the Commissioner of Labor who serves as Chair, and 12 other members equally representing industry, labor, agriculture, 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 Compliance conducts periodic inspections of workplaces 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 must be 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 Compliance requesting an inspection if they believe a hazardous condition(s) exists in their workplace. The name of the complainant will be kept confidential upon request.

Discrimination Protections: 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 complain to the Kentucky Department of Labor within 120 days of the alleged discrimination. Private sector employees also have the option of filing discrimination complaints with the U.S. Department of Labor within 30 days. Complaint forms are available from the Division of Compliance, and on its Web page, located at: www.labor.ky.gov/osh/compliance.

Citations: A citation(s) alleging the 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 mailed to the employer and specifies an abatement date by 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 optional penalties up to \$7,000 for each other-than-serious violation. Failure to correct a violation within the specified time period may result in penalties of up to \$7,000 per day. Also, any employer who commits a willful or repeat violation(s) may be assessed a penalty of 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 also contest the action. Any party wishing to contest a citation(s) must notify the Division of Compliance 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.

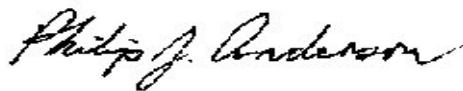
Recordkeeping: Employers are required to maintain records of occupational fatalities, injuries, and illnesses experienced by their employees. Records must be kept using OSHA 300, 300-A, and 301, or equivalent forms. Unless requested to do so by the U.S. Bureau of Labor Statistics, employers with 10 or fewer employees, or whose establishments fall within the Standard Industrial Classification codes 52 through 89, are exempt from recordkeeping requirements.

Reporting: Employers must report to the Division of Compliance within 8 hours any incident which results in a fatality or the hospitalization of 3 or more employees. Incidents resulting in an amputation or the in-patient hospitalization of 1 or 2 employees must be reported within 72 hours. Mechanical power press point-of-operation injuries must be reported within 30 days.

Education & Training Services: The Division of Education and Training assists employers who are interested in preventing workplace injuries and illnesses by developing and improving their workplace safety management programs. All assistance is provided upon request, **free of charge**, and includes services such as: on-site consultative services, training courses, and informational and technical publications.

Federal/State Relations: The Commonwealth provides occupational safety and health protections under a plan approved in 1973 by the U.S. Department of Labor. Question and concerns regarding its administration may be addressed to the Kentucky Department of Labor, Office of Occupational Safety and Health. The U.S. Department of Labor monitors the plan to assure that continued approval is merited. Any person who has a complaint regarding the administration of the Kentucky plan may contact the U.S. Department of Labor/OSHA, Atlanta Federal Center, 61 Forsyth Street SW, Atlanta, Georgia 30303; (404) 562-2300.

Kentucky Department of Labor
Office of Occupational Safety and Health
1047 U.S. 127 South, Suite 4
Frankfort, KY 40601
(502) 564-3070
www.labor.ky.us



Philip J. Anderson, Commissioner
Kentucky Department of Labor

“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 be subjected to discrimination under any program or activity under the jurisdiction of the Department of Labor.”



Paid for with State & Federal Funds

WAGE DISCRIMINATION BECAUSE OF SEX

(KRS 207.140 to 207.240 - KRS 337.420 to 337.433 and KRS 337.990 (14))



DEFINITIONS

EMPLOYEE-

Any individual employed by any 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 a person.

WAGE RATE-

All compensation for employment, including payment in kind and amounts paid by employers for employee benefits, as defined by the Executive Director in regulations issued under this Act.

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 any employee in any occupation in Kentucky. Any employer violating this Act shall not reduce the wages of any employee in order to comply with the Act.

No employer can discharge or discriminate against any employee for the reason that the employee sought to invoke or assist in the enforcement of the Act.

EXEMPTIONS FROM COVERAGE:

A differential paid through an established seniority system or merit increase system is permitted by the Act if it does not discriminate on the basis of sex.

Employers subject to the Fair Labor Standards Act of 1938, as amended, are excluded "when that act imposes comparable or greater requirements than contained" in this Act. However, to be excluded, the employer must file with the Executive Director of the Kentucky Office of Workplace Standards a statement that he is covered by the Fair Labor Standards Act of 1938, as amended.

ENFORCEMENT OF LAW AND POWER TO INSPECT:

The Executive Director or his authorized agent has the power to enter the employer's premises to inspect records, compare character of work and operations of employees, question employees, and to obtain any information necessary to administer and enforce this Act. The Executive Director or his authorized representative may examine witnesses under oath, and require by subpoena the attendance and testimony of witnesses and the production of any documentary evidence relating to the subject matter of any investigation undertaken pursuant to this Act. If a person fails to obey 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 that court.

COLLECTION OF UNPAID WAGES:

Any employer who violates this Act is liable to the employee or employees affected in the amount of the unpaid wages. If the employer violates this Act willfully, he is liable for an additional equal amount as liquidated damages. The court may order other appropriate action, including reinstatement of employees discharged in violation of this Act.

The employee or employees affected may maintain an action to collect the amount due. At the written request of any employee, the Executive Director may bring any legal action necessary to collect the claim for unpaid wages in behalf of the employee.

An agreement between an employer and employee to work for less than the wage to which such employee is entitled will not bar any legal action or voluntary wage restitution.

STATUTE OF LIMITATIONS:

Court action under this Act may be commenced no later than six months after the cause of action occurs.

POSTING OF LAW:

All employers subject to the Act shall post this abstract in a conspicuous place in or about the premises wherein any employee is employed.

PENALTIES:

Any person who discharges or in any other manner discriminates against an employee because such employee has:

- (a) made any complaint to his employer, the Executive Director or any other person, or
- (b) instituted or caused to be instituted any proceeding under or related to this Act, or
- (c) testified or is about to testify in any such proceedings, shall be assessed a civil penalty of not less than \$100 nor more than \$1,000.

FOR FURTHER INFORMATION CONTACT:

Kentucky Department of Labor
Division of Employment Standards,
Apprenticeship and Training
1047 U.S. HWY 127 South, Suite 4
Frankfort, Kentucky 40601-4381

"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 be subjected to discrimination under any program or activity under the jurisdiction of the Kentucky Department of Labor."



POST THIS ORDER WHERE ALL EMPLOYEES MAY READ

PAID FOR WITH STATE FUNDS

DISCRIMINACIÓN DE SALARIO DEBIDO A SEXO

[KRS 337.420 y KRS 337.990(14)]

DEFINICIONES:

EMPLEADO

Cualquier individuo empleado por cualquier empleador, incluyendo pero no limitado a individuos empleados por el Estado o cualquiera de sus subdivisiones políticas, funcionalidades, o funcionalidades de subdivisiones políticas.

EMPLEADOR

Una persona que tiene dos o más empleados dentro del Estado por veinte o más semanas del año en curso o del año precedente o un agente de tal persona.

TASA DE SALARIO

Todas las compensaciones del empleo, incluyendo pagos de salario y sumas pagadas por los empleadores en beneficio del empleado, como ha sido definido por el Comisionado en regulaciones emitidas por esta Acta.

PROHIBICIÓN DE PAGOS Y SALARIOS QUE ESTEN BASADOS EN SEXO:

Se prohíbe que el empleador discrimine entre empleados de sexo opuesto en el mismo establecimiento pagando diferentes tasas de salario por trabajo comparable o por trabajo que tienen requerimientos comparables. Esta prohibición cubre cualquier ocupación en Kentucky. Cualquier empleador que viole esta Acta no deber reducir salarios con el objeto de cumplir con esta Acta. Ningún empleador podrá despedir o discriminar en contra de ningún empleado por razones que el empleado haya tratado de convocar o ayudar en la aplicación de esta Acta.

EXCEPCIONES DE CUBRIMIENTO:

Un pago diferencial establecido por el sistema de antigüedad o de mérito es permitido por esta Acta siempre que no sea discriminatorio sobre la base de sexo. Empleadores que están regidos por las Normas de Trabajo Equitativo (Fair Labor Standards) Acta de 1938, con modificaciones, están excluidos “Cuando aquella acta impone requerimientos comparables o mayores que los especificados” en esta Acta. Sin embargo, para ser excluido, el empleador deber registrar con el Comisionador de Normas del Trabajo del Departamento de Kentucky (Commissioner of the Kentucky Department of Workplace Standards) una declaración indicando que él está protegido por las Normas de Trabajo Equitativas de 1938 (Fair Labor Standards Act of 1938) con sus modificaciones.

EJECUCIÓN DE LA LEY Y DEL DERECHO DE INSPECCIÓN:

El Comisionado o su agente autorizado tiene el poder de entrar a las premisas del empleador para inspeccionar los registros, comparar la clase de trabajo y operaciones de los empleados, y de obtener cualquier información necesaria para la administración y aplicación de esta Acta. El Comisionado o su representante autorizado puede interrogar testigos bajo juramento, y demandar legalmente (subpoena) la concurrencia y testimonio de testigos y la producción de cualquiera documentación de evidencia relacionada con la materia de cualquiera investigación en cumplimiento de esta Acta. Si una persona no obedeciera a la demanda legal (subpoena), la Corte del Circuito (Circuit Court) del distrito judicial en el cual el proceso se está llevando a cabo puede emitir una orden demandando que la citación legal (subpoena) sea obedecida. La falta de obediencia a la orden de la Corte podrá a ser castigada como un desafío (contempt) a esa Corte.

COBRANZA DE SALARIOS QUE NO SE HAYAN PAGADO:

Cualquier empleador que haya violado esta Acta tiene la responsabilidad del empleado o de los empleados afectados por la suma de salarios no pagados. En el caso que empleador haya violado intencionalmente esta Acta, él es entonces responsable por una suma adicional igual a la suma a los daños incurridos. La Corte puede ordenar otra acción apropiada, incluyendo la reincorporación de empleados despedidos en violación de esta Acta.

El empleado o los empleados afectados pueden instituir una acción para cobrar la suma adeudada. Sobre la base de una solicitud por escrito de cualquier empleado, el Comisionado puede, en representación del empleado, ejecutar cualquiera acción legal necesaria para cobrar la demanda por salarios no pagados.

Un acuerdo entre un empleador y empleado para trabajar por menos que el salario al cual el empleado tiene derecho no impide una acción legal o voluntaria de restitución de salarios.

LIMITACIONES LEGALES:

La acción legal sobre la base de esta Acta debe ser iniciada en no más de seis meses después que la razón por esta acción haya ocurrido.

EXHIBICIÓN DE LA LEY:

Todos los empleadores sujetos a esta Acta deberán exhibir este abstracto en un lugar visible, cercano, o en la premisa donde el empleado ha sido contratado.

PENALIDADES:

Cualquiera persona que actúa, o en cualquier forma discrimina, en contra de un empleado debido a que el empleado haya:

- Hecho cualquiera queja a su empleador, al Comisionado, o a cualquiera otra persona, o
- Instituido o haya causando ser instituido de cualquier procedimiento contemplado o relacionado con esta Acta, o
- Haya testificado o que esté por testificar en cualquiera de tales procedimientos,

se le asignará una multa civil de no menos de \$100, pero no mayor de \$1000.



Para mayor información dirigirse a:

Kentucky Department of Labor
Division of Employment Standards, Apprenticeship and Training
1047 U. S. HWY 127 S., STE 4
Frankfort, KY 40601-4381
Teléfono: (502)564-3070
FAX: (502) 564-2248
www.labor.ky.gov

EXHIBA ESTA ORDEN DONDE TODOS LOS EMPLEADOS PUEDAN LEERLA

Pagado con fondos del Estado

**Ningún individuo en los Estados Unidos, sobre la base de raza, color, religión, sexo, nacionalidad de origen, edad, incapacidad física, afiliación política o creencia, podrá ser excluido de gozar o de negarle beneficios, o ser sometido a discriminación en cualquier programa o actividad bajo la jurisdicción del Departamento del Trabajo (Labor Department).*

This firm is an employer subject to the
KENTUCKY UNEMPLOYMENT INSURANCE LAW

INFORMATION ABOUT

Unemployment Insurance Benefits

IMPORTANT: To be ELIGIBLE to draw benefits, you:

1. MUST be ABLE AND AVAILABLE for WORK.
2. MUST be making a REASONABLE EFFORT to obtain work.
3. MUST have:
 - (a) Earned AT LEAST \$750 in ONE QUARTER of your BASE PERIOD;
 - (b) TOTAL base period wages EQUAL to at LEAST 1 1/2 TIMES your HIGH QUARTER wages and TOTAL base period wages OUTSIDE the HIGH QUARTER must be at least \$750; and
 - (c) wages in the last SIX MONTHS of your base period EQUAL to NOT LESS than 8 TIMES your WEEKLY BENEFIT RATE.

TOTAL UNEMPLOYMENT

IF YOU LOSE YOUR JOB:

1. Report to the nearest Unemployment Insurance Office. Present your Social Security Card.
2. Register for work and file a claim for benefits.
3. After filing your initial claim, file continuing claims for each week during which you are unemployed as directed by your local office.

WEEKLY BENEFIT RATE

Your weekly benefit rate will be 1.3078 percent of your total base period wages.

PARTIAL UNEMPLOYMENT

You may claim PARTIAL benefits when:

1. You are still employed by your regular employer but are working less than your normal full-time hours, if
 - (a) Your earnings during a week are less than 1 1/4 times your weekly rate and you work less than full-time; and
 - (b) Your reduced hours are due to lack of available work, and not to any other cause--such as illness, disability, vacation leave, or personal reasons.

If you believe that you are PARTIALLY unemployed, you should report to the nearest Unemployment Insurance office of the Cabinet for Workforce Development, as soon as possible.

CONTRIBUTIONS TO THE BENEFIT FUND ARE PAID BY EMPLOYERS.
NO DEDUCTIONS ARE MADE FROM EMPLOYEES' PAY FOR THAT PURPOSE.

IMPORTANT NOTICE
UNDER THE LAW AN INDIVIDUAL MAY BE PENALIZED, FINED OR IMPRISONED, FOR FALSE STATEMENTS MADE FOR THE PURPOSE OF SECURING BENEFITS NOT OTHERWISE DUE OR FOR INCREASING THE AMOUNT OF BENEFITS.

Cabinet for Workforce Development
DEPARTMENT FOR EMPLOYMENT SERVICES
DIVISION OF UNEMPLOYMENT INSURANCE
275 EAST MAIN STREET
FRANKFORT KY 40621

KENTUCKY WAGE AND HOUR LAWS



POST THIS ORDER WHERE ALL EMPLOYEES MAY READ

MINIMUM WAGE:

Minimum wage rates and effective dates are as follows: \$5.85 per hour effective June 26, 2007, \$6.55 per hour effective July 1, 2008, and \$7.25 per hour effective July 1, 2009. Should the federal minimum wage rate as prescribed by 29 U.S.C. Section 206(a)(1) be higher, Kentucky's minimum wage rate will adjust to match the federal rate.

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 at a rate of not less than one and one-half times the hourly rate employed. This section does not apply to employees of retail stores engaged in work connected with selling, purchasing and distributing merchandise, wares, goods, articles or commodities, or to employees of restaurant, hotel and motel operations, to employees as defined and exempted from the overtime provision of the Fair Labor Standards Act in section 213(b)(1), 213(b)(10) and 213(b)(17) of Title 29, U.S.C. (KRS 337.285 Sec. (2)(d), (2)(e) and (4) County Employees).

EXEMPTIONS:

Minimum Wage (KRS 337.275) and Overtime (KRS 337.285) do not apply to: the following list of employees: (1) Any individual employed in agriculture; (2) Any individual employed in a bona fide executive, administrative, supervisory or professional capacity, or in the capacity of outside salesman, or as an outside collector as such terms are defined by administrative regulations of the Executive Director; (3) Any individual employed by the United States; (4) Any individual employed in domestic service in or about a private home. The provisions of this section shall include individuals employed in domestic service in or about the home of an employer where there is more than one domestic servant regularly employed; (5) Any individual classified and given a certificate by the Executive Director of Workplace Standards showing a status of handicapped worker or sheltered workshop employee under administrative regulations promulgated by the Executive Director of Workplace Standards; (6) Employees of retail stores, service industries, hotels, motels, and restaurant operations whose average annual gross volume of sales made for business done is less than ninety-five thousand dollars for the five preceding years exclusive of excise taxes at the retail level or if the employee is the parent, spouse, child, or other member of the employer's immediate family; (7) Any individual employed as a babysitter in the employer's home or as a companion by a sick, convalescing or elderly person or by the person's immediate family, to care for that sick, convalescing or elderly person and whose principal duties do not include housekeeping; (8) Any individual engaged in the delivery of newspapers to the consumer; (9) Any individual subject to the provisions of KRS Chapters 7, 16, 27A, 30A, and 18A provided that the secretary of the Personnel Cabinet shall have the authority to prescribe by administrative regulation those emergency employees, or others, who shall receive overtime pay rates necessary for the efficient operation of government and the protection of affected employees; (10) Any employee employed by an establishment which is an organized nonprofit camp, religious, or nonprofit educational conference center, if it does not operate for more than seven months in any calendar year; (11) Any employee whose function is to provide 24 hour residential care on the employer's premises in a parental role to children who are primarily dependent, neglected and abused and who are in the care of private nonprofit childbearing facilities licensed by the Cabinet for Health and Family Services under KRS Chapter 199; or (12) Any individual whose function is to provide 24 hour residential care in his or her own home as a family caregiver and who is approved to provide family caregiver services to an adult with a disability through a contractual relationship with a community mental health-mental retardation board established under KRS 210.370 to 210.460, or is certified or licensed by the Cabinet for Health and Family Services to provide adult foster care. (KRS 337.101(2))

TIPPED EMPLOYEES:

Any employee engaged in an occupation in which more than \$30 dollars per month is customarily and regularly received in tips, the employer may pay a minimum of \$2.13 per hour if the employer's records can establish for each week where credit is taken, when adding the tips received to wages paid, not less than the minimum wage is received by the employee. Subsequently, the tipped rate will adjust in accordance with the federal minimum tipped rate as prescribed by 29 U.S.C. Sec. 206(a)(1). No employer shall use all or part of any tips or gratuities received by employees toward the payment of the minimum wage. (KRS 337.275(2)) 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. No employer shall require an employee to participate in a tip pool whereby the employee is required to remit to the pool any gratuity, or any portion thereof, for distribution among employees of the employer. Employees may voluntarily enter into an agreement to divide gratuities among themselves. The employer may inform the employees of the existence of a voluntary pool and the customary tipping arrangements of the employees at the establishment. Upon petition by the participants in the voluntary pool, and at the employer's own option and expense, an employer may provide custodial services for the safekeeping of funds placed in the pool if the account is properly identified and segregated from the other business records and open to examination by pool participants. (KRS 337.065)

RECORDS:

Every employer subject to the provisions of the Kentucky Minimum Wage Law shall make and preserve records containing the following information: (a) Name, address, and Social Security Number of each employee; (b) Hours worked each day and each week by each employee; (c) Regular hourly rate of pay; (d) Overtime hourly rate of pay for hours in excess of forty hours in a workweek; (e) Additions to cash wages at cost, or deductions (meals, board, lodging, etc.) from stipulated wages in the amount deducted, or at cost of the item for which deductions are made; (f) Total wages paid for each workweek and date of payment. Such records shall be kept on file for at least one year after entry. No particular form or order is prescribed for these records provided that the information required is easily obtainable for inspection purposes. (KRS 337.320)

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 worked except those employees who are under the Federal Railway Labor Act. This shall be in addition to the regularly scheduled lunch period. No reduction in compensation shall be made for hourly or salaried employees. (KRS 337.365)

LUNCH PERIODS:

Employers, except those subject to the Federal Railway Labor Act, shall grant their employees a reasonable period for lunch, and such time shall be as 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 sooner than three (3) hours after the work shift commences, nor more than five (5) hours from the time the work shift commences. This section shall not be construed to negate any provision of a collective bargaining agreement or mutual agreement between the employee and employer. (KRS 337.355)

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 such date of dismissal or voluntary leaving whichever last occurs. (KRS 337.055)

UNLAWFUL FOR EMPLOYER TO WITHHOLD WAGES:

No employer shall withhold from any employee's wages any part of the agreed wage rate; unless (a) the employer is required to do so by local, state, or federal law; or (b) when a deduction is expressly authorized in writing by the employee to cover insurance premiums, hospital, or medical dues; or (c) 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; or (d) deductions for union dues where such deductions are authorized by joint wage agreements or collective bargaining contracts negotiated between employers and employees or their representatives. No employer shall deduct the following from the wages of employees: (a) Fines; (b) Cash shortages in a common money till, cash box or register used by two (2) or more persons; (c) Breakage; (d) 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 (e) Losses due to defective or faulty workmanship, lost or stolen property, damage to property, default of customer credit or nonpayment for goods or services received by the customer if such losses are not attributable to employee's willful or intentional disregard of employer's interest. (KRS 337.060)

TIME AND A HALF FOR WORK DONE ON SEVENTH DAY OF WEEK:

Any employer who permits any employee to work seven days in any one workweek shall pay the rate of time and a half for the time worked on the seventh day. The above shall not apply in any case in which the employee is not permitted to work more than forty hours during the workweek; or to telephone exchanges having less than five hundred subscribers; stenographers, bookkeepers or technical assistants of professions such as doctors, accountants, lawyers and other professions licensed under the laws of this state; employees subject to the Federal Railway Labor Act and seamen or persons engaged in operating boats or other water transportation facilities upon navigable streams; persons engaged in icing railroad cars; common carriers under the supervision of the Department of Vehicle Regulation; and any officer, superintendent, foreman or supervisor whose duties are principally limited to directing or supervising other employees. (KRS 337.050)

PERFORMANCE BONDS:

Except for employers who have been doing business in the state for five (5) consecutive years, every employer engaged in construction work, or the severance, preparation, or transportation of minerals, shall furnish on a form prescribed by the Executive Director a performance bond to assure the payment of all wages due from the employer. Surety for the bond shall be an amount of money equal to the employer's gross payroll operating at full capacity for four (4) weeks. (KRS 337.200)

ADDITIONAL INFORMATION:

Kentucky Department of Labor
Division of Employment Standards,
Apprenticeship and Training
1047 U.S. HWY 127 South, Suite 4
Frankfort, Kentucky 40601-4381
Phone (502) 564-3070 Fax (502) 564-2248
Website: www.labor.ky.gov

"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 be subjected to discrimination under any program or activity under the jurisdiction of the Kentucky Department of Labor."



LEYES DEL SALARIO Y PAGO POR HORA EN EL ESTADO DE KENTUCKY

EXHIBA ESTA ORDEN DONDE TODOS LOS EMPLEADOS PUEDAN LEERLA

SALARIO MINIMO –La tarifa y fechas tomaran lugar en las siguientes fechas: \$5.85 por hora a partir del 26 de Junio del 2007, \$6.55 por hora a partir del 1 de julio del 2008, y \$7.25 por hora a partir del 1 de Julio del 2009. Si la tarifa federal de salario mínimo preescrita por el Código de los estados Unidos Sección 206 (a) (1) es mas alta, la tarifa de salario mínimo en Kentucky se ajustara a la tarifa federal

TIEMPO EXTRA – Ningún empleador deberá emplear trabajadores por una jornada semanal de trabajo de mas de cuarenta horas, a menos de que el trabajador reciba compensación por trabajar mas de cuarenta horas en una semana a una tarifa no menos de hora y media por cada hora extra contratada. Esta sección no se aplica a trabajadores de tiendas de menudeo involucrados con trabajo relacionado a ventas, compras y distribución de mercancías, bienes y artículos de consumo, o a trabajadores en operaciones de restaurantes, hoteles o motéeles, tampoco se aplica a los trabajadores que se encuentren clasificados y exentos de la provisión de tiempo extra como lo define el Acta de Normas Equitativas del Trabajo (Fair Labor Standards Act) en sus secciones 213 (b) (1), 213 (b) (10) y 213 (b) (7) del Titulo 29, U.S.C. (KRS 337.285)

EXCEPCIONES – Ninguna parte en KRS 337.275 y en KRS 337.285 se aplicara a: (1) Cualquier individuo empleado en agricultura, (2) cualquier individuo empleado legal en la capacidad ejecutiva, administrativa, supervisora o profesional, en la capacidad de vendedor de campo o como cobrador de campo, como tales términos son definidos por las regulaciones administrativas del Comisionado; (3) Cualquier individuo empleado en los Estados Unidos; (4) Cualquier individuo empleado en el servicio domestico o en una casa privada si existen menos de tres empleados domésticos regularmente empleados; (5) Cualquier individuo clasificado y que se le haya dado un certificado por el Comisionado de Normas en el Lugar de Trabajo (Workplace Standards); (6) Empelados de tiendas de menudeo, industrias de servicios, hoteles, motéeles, y operaciones de restaurantes cuyo ingreso promedio anual de ventas realizadas en sus transacciones es menos de noventa y cinco mil dólares en los últimos cinco años exclusivos de impuestos indirectos en el nivel menudeo o si el empleado es el padre, madre, cónyuge, hijo (a) u otro miembro de la familia inmediata del empleador; (7) cualquier individuo empleado como niñera o niñoero en la casa del empleador o como acompañante de un enfermo, convaleciente o persona de la tercera edad o por un familiar inmediato de la persona, que cuida al enfermo, convaleciente o persona de la tercera edad y cuyos deberes principales no incluyen la limpieza de la casa; (8) Cualquier individuo encargado en la entrega de periódicos al consumidor; (9) Cualquier trabajador empleado por algún establecimiento que esta organizado como no lucrativo, religioso o un centro para conferencias educacionales no lucrativo, si no opera por mas de siete meses en cualquier calendario anual; o (10) un empleado cuyas funciones es de proveer cuidado residencial las 24 horas con el permiso del empleador desempeñando el papel de los padres a los hijos que son ante todo dependientes, descuidados y abusados y quienes están en el cuidado de instalaciones privadas no lucrativas para niños aprobados por el Gabinete de Familias y niños bajo el capitulo 199 de KRS. (KRS 337.010(2))

EMPLEADOS QUE RECIBEN PROPINAS – Efectivo a partir del 15 de Julio, 1998, para cualquier empleado dedicado a una ocupación en donde es costumbre recibir regularmente mas de \$30 dolares al mes en propinas, el empleador puede pagar un minimo de \$2.13 dolares por hora si los registros del empleador pueden establecer por cada semana donde fue acreditado, cuando se agregan las propinas recibidas al salario, no menos del salario mínimo debe de ser recibido por el empleado. En consecuencia, la tarifa que se aplica a las propinas se ajustara de acuerdo con la tarifa que se aplica a las propinas mínimas a nivel federal, como es establecido por U.S.C. 29 Sección 206 (a) (1). Ningún empleador usara todo o parte de cualquier propina o gratificación recibida por los empleados por el pago del salario mínimo. (KRS 337.275(2)) Ningún empleador requerirá al empleado reportar al empleador cualquier gratificación, o alguna porción de esta, a excepción de que el propósito sea retener las cantidades que se requieran por la ley federal o estatal. Ningún empleador

requerirá al empleado que participe en un fondo de propinas donde el empleado sea requerido reportar al fondo cualquier gratificación o parte de ella, para la distribución entre los empleados o el empleador. Los empleados pueden voluntariamente ser parte de un acuerdo para dividir las gratificaciones entre ellos mismos. El empleador puede informar a los empleados de la existencia de un fondo voluntario y de los arreglos que se acostumbnan en la distribución de las propinas de los empleados del establecimiento. Con la petición de los participantes del fondo voluntario, y a opción y responsabilidad de gastos del propio empleador, el empleador puede proveer servicios de seguridad para poner bajo custodia los recursos que se destinen para el fondo si la cuenta se identifica apropiadamente y separada de otros archivos del negocio y abierta a ser examinada por los participantes del fondo (KRS 337.065)

ARCHIVOS - Cada empleador que este sujeto a las provisiones establecidas por la Ley del Salario Mínimo en el Estado de Kentucky deberá registrar y conservar sus archivos que contengan la siguiente información: (a) Nombre y dirección de cada trabajador, (b) Horas trabajadas cada día de cada semana por cada trabajador; (c) La tarifa regular que se paga por hora; (d) La tarifa que se paga por hora por trabajar horas adicionales a la jornada semanal de cuarenta horas; (e) Agregados al salario que se pago de contado al costo, o deducciones (comidas, pensión, alojamiento, etc.) de los salarios que se estipulen en la cantidad que se deduzca, o al costo del producto por el cual las deducciones se aplicaron; (f) Salarios totales pagados por cada semana de trabajo y fecha del pago. Dichos archivos deberán ser conservados en un expediente por lo menos un año después de su ingreso. Ninguna forma en particular u orden es necesaria asumiendo que la información requerida se obtenga fácilmente para propósitos de inspección. (KRS 337.320)

PERIODOS DE DESCANSO - Ningún empleador requerirá a ningún empleado trabajar sin tomar su periodo de descanso por lo menos diez (10) minutos por cada cuatro (4) horas de trabajo, a excepción de aquellos trabajadores que se encuentran bajo el Acta Federal de Trabajo Ferroviaria (Federal Railway Labor Act.) Esto se establecerá adicionalmente al periodo programado para su almuerzo. Ninguna deducción en compensación deberá hacerse a los empleados salariados o que son pagados por hora. (KRS 337.365)

PERIODOS DE ALMUERZO - Los empleadores, a excepción de aquellos sujetos al Acta Federal de Trabajo Ferroviario, darán a sus empleados un periodo de almuerzo razonable, y tal periodo debe de darse lo mas cercano posible a la mitad de la jornada de trabajo programada del trabajador. En ningún caso se le requerirá al trabajador tomar su periodo de almuerzo antes de tres (3) horas después de haber iniciado su jornada de trabajo, tampoco se le requerirá tomar su almuerzo cinco (5) horas después de haber comenzado su jornada de trabajo. Esta sección no debe ser interpretada para negar cualquier provisión de un acuerdo colectivo o acuerdo mutuo entre el empleado y el empleador. (KRS 337.355)

PAGO DE SALARIOS - Cualquier empleado que deja o es despedido de su trabajo se le deberá pagar enteramente todas las compensaciones o salario que se haya ganado a más tardar antes de la fecha del siguiente pago normal a partir de la fecha del despido o abandono voluntario del trabajo o a los catorce (14) días siguientes a tal fecha de despido o abandono voluntario del trabajo lo que ocurra primero. (KRS 337.055)

ES ILEGAL PARA EL EMPLEADOR RETENER SALARIOS - Ningún empleador deberá retener ninguna parte de los salarios acordados del empleado, al menos (a) que al empleador le requieran hacerlo por parte de la ley local, estatal o federal; o (b) Cuando una deducción es explícitamente autorizada por escrito por el empleado para cubrir primas de seguro, deudas medicas o de hospital; u (c) otras deducciones que no corresponden a una rebaja o descuento del salario normal acordadas en las negociaciones colectivas o según al acuerdo salarial o estatuto; o (d) deducciones por cuotas del sindicato donde dichas deducciones son autorizadas por un conjunto de acuerdos o contratos colectivos de salarios negociados entre empleador y empleados o sus representantes. Ningún empleador deberá deducir de los salarios de los empleados lo siguiente: (a)

Fianzas; (b) carestía de dinero de contado en una caja colectiva, caja de ahorro o caja registradora que es utilizada por dos (2) o mas personas; (c) Quiebra; (d) perdidas debidas a la aceptación de cheques sin fondos por parte del empleado, los cuales son posteriormente inválidos si a tal empleado se le da a discreción aceptar o rechazar cualquier cheque; o (e) Perdidas que se atribuyan a defectos o mal funcionamiento del equipo de trabajo, perdida o propiedad robada, daño a propiedad, falta de crédito del cliente o de pago por bienes o servicios recibidos por el cliente si dichas perdidas no se atribuyen a la voluntad del empleado, o indiferencia intencional en contra de los intereses del empleador. (KRS 337.060)

TIEMPO Y MEDIO POR TRABAJAR EL SEPTIMO DIA - Cualquier empleador que permita a sus empleados trabajar siete días a la semana debe de pagar la tarifa de tiempo y medio por cada hora que se trabaje en el séptimo día. Lo anterior, no se aplica a algún caso donde al empleado no se le permita trabajar mas de cuarenta horas a la semana; o a centrales telefónicas que tenga menos de quinientos suscriptores; taquígrafos, contadores o asistentes técnicos de profesionistas como doctores, contadores, abogados y otros profesiones autorizados bajo las leyes de este Estado; empleados sujetos al Acta Federal de Trabajo de Empleados Ferroviarios (Federal Railway Labor Act) y marineros o personas involucradas en operaciones de embarcaciones u otras instalaciones de transportación naval y ríos navegables.; personas que manejen carros ferroviarios que cuentan con sistema de congelación; transportistas comunes bajo la supervisión del Departamento de Regulación Vehicular (Department of Vehicle Regulation); cualquier oficial, conserje, capataz o supervisor cuyas responsabilidades son principalmente limitadas a dirigir o supervisar a otros empleados. (KRS 337.200)

DEPOSITO POR REALIZACION DE TRABAJO - Excepto para los empleadores que han estado haciendo negocios en el Estado por cinco (5) años consecutivos, cada empleador involucrado en el trabajo de construcción, o en el corte, preparación, o transportación de minerales, deberá proveer una forma preescrita por el Comisionado un deposito por realización de trabajo para garantizar el pago de todos los salarios que el empleador tenga que pagar. Este deposito debe de ser una cantidad de dinero equivalente a la nomina total operando en toda su capacidad por cuatro (4) semanas. (KRS 337.200)

GABINETE DEL MEDIO AMBIENTE Y PROTECCION PÚBLICA DEPARTAMENTO DEL TRABAJO
OFICINA DE REGULACIONES EN EL LUGAR DE TRABAJO
1047 US HWY 127 S STE 4
FRANKFORT KY 40601-4381

<http://www.kylabor.net/>

TELEFONO (502) 564 3070 FAX (502) 564 2248

Pagado con fondos del Estado

“Ningún individuo en los Estados Unidos por motivos de raza, color, religión, sexo, origen nacional, edad, incapacidad, afiliación política o creencia, será excluido de participar o le serán negados beneficios o ser sujeto a discriminación bajo cualquier programa o actividad que se encuentre bajo la jurisdicción del Gabinete del Medio ambiente y Protección Publica.”



LEYES DEL SALARIO Y PAGO POR HORA EN EL ESTADO DE KENTUCKY
EXHIBA ESTA ORDEN DONDE TODOS LOS EMPLEADOS PUEDAN LEERLA



1961 Diamond Springs Road
Virginia Beach, VA 23455
Phone (757) 460-6308
HR Fax (757) 457-9345

Date: February 23, 2010

To All Employees:

MANCON is committed to promoting a safe and healthy work environment. Unfortunately, work related illness and accidents do occur in all organizations.

In conjunction with Liberty Mutual Insurance, our Workers' Compensation Insurance Company, we are implementing a system to support you if you are injured on the job effective February 23, 2010. This system, called a Managed Health Care Plan (MHCP), includes a Preferred Provider Network (PPN) through Coventry Integrated NetworkSM to provide the medical treatment for work-related injuries and illnesses.

The Preferred Provider Network through Coventry Integrated NetworkSM offers many benefits:

- Doctors, hospitals and ancillary providers located near our worksite;
- All providers have been reviewed and have met PPN standards and credentialing criteria
- Providers are experienced in treating on-the-job injuries and want to aid in your return to work when medically appropriate. A listing of providers is available to you at your workplace. Should an injury occur and there are no MHCP providers in the proximity, go to the closest treatment facility.

The LibertyNetworks MHCP promotes a team approach to treating Workers' Compensation injuries. That team includes the employee, the employer, the PPN provider, Liberty Mutual, and Coventry Integrated NetworkSM. This approach provides timely, appropriate and cost-efficient treatment for you and a timely return-to-work. Everyone benefits from this partnership.

Enclosed are six documents essential to your efficient and effective use of the MHCP:

- Authorization to Obtain Information Form (Medical Authorization Form)
- Employee Rights
- Provider Nomination Form (Provider Request Form)
- Employee Grievance Procedure
- Employee Grievance Form
- Employee Satisfaction Survey

If you have any questions or concerns regarding the managed care services please contact your supervisor.

Sincerely,

Laura C. Sipes, MBA, MS
Human Resources
MANCON
lsipes@manconinc.com

Received By: _____
(Employee Signature)

Date: _____

LibertyNetworks™

Managed Health Care Plan

EMPLOYEE NAME (Please Print) _____

CLAIM NUMBER _____

AUTHORIZATION FOR THE RELEASE OF PROTECTED HEALTH INFORMATION

I HEREBY AUTHORIZE THE USE OR DISCLOSURE OF HEALTH INFORMATION ABOUT ME AS DESCRIBED BELOW:

- 1) **Person(s) or group(s) of persons authorized to use or disclose the information:** Any physicians, medical practitioners, hospitals, clinics, HMO, long-term care facilities, medical or medically-related facilities, pharmacies, insurance companies, Plan Sponsor/Administrator and insurance support organizations such as the Medical Information Bureau.
- 2) **Person(s) or group(s) of persons authorized to collect or otherwise receive the information:** The particular Company in the Liberty Mutual Group to which I am submitting a claim and its authorized representatives, including organizations providing claims management services.
- 3) **Description of the information that may be used or disclosed:** This Authorization specifically includes the release of all information related to my physical and mental health and my insurance policies and claims, including, but not limited to, those containing diagnosis, treatments, prognosis, prescription drug information, alcohol or drug abuse or information regarding communicable or infectious conditions, such as HIV/AIDS.
- 4) **The information will be used or disclosed only for the following purpose(s):** For purposes of investigating, evaluating and processing my claim.

STATEMENTS OF UNDERSTANDING & ACKNOWLEDGMENT:

- I understand that health information about me provided to the Company in the Liberty Mutual Group to which I have submitted a claim will not be released by the Company to any person or organization except reinsuring companies, or other companies in the Liberty Mutual Group to which I submit a claim for benefits, other persons or organizations performing a business or legal service in connection with my claim, or as may be otherwise permitted or required by law. However, I also understand that, upon disclosure pursuant to this authorization to any person or organization that is not covered by federal privacy regulations, the disclosed information may no longer be protected by those regulations.
- I understand that I may revoke this authorization in writing at any time, except to the extent that action has been taken in reliance on this authorization, or to the extent that other law provides the Company with the right to contest a claim, by sending a written revocation to the Company in the Liberty Mutual Group to which I have submitted a claim. I also understand that the revocation of this authorization will not affect uses and disclosures of my health information for purposes of treatment, payment and health care operations.
- I understand that authorizing the disclosure of this health information is voluntary and the provision of health care services to me is not conditioned on whether I sign this authorization.
- This authorization will expire 24 months from the date signed.
- I am entitled to a copy of this authorization and acknowledge receipt of a copy thereof.

Name of Individual/Personal Representative: _____

Signature: _____

Description of Authority of Personal Representative: _____

Effective Date: _____

A copy of this authorization will be considered as valid as the original.

Submit to:

**Liberty Mutual Insurance Company
424 South Woods Mill Rd, Ste 100
Chesterfield MO 63017**

LibertyNetworks™
WORKERS' COMPENSATION
PREFERRED PROVIDER NETWORK
PROVIDER NOMINATION FORM
Kentucky MHCP only

*All information in the box below must be completed prior to forwarding to LibertyNetworks™.
The form will be returned if incomplete. Please complete if you have a provider you would like to
nominate to join the Coventry Integrated NetworkSM.*

Customer/Employer Name:	_____
Address:	_____
City, State, Zip:	_____
Telephone #:	_____
Requester Name:	_____
Requester Address:	_____
Requester Telephone #:	_____
Provider Name	_____
Group Name	_____
Provider Specialty:	_____
County:	_____
Address:	_____
City, State, Zip:	_____
Telephone #:	_____

Tax ID # (if available): _____

Contact Person (if available): _____

Hospital Affiliation (if known): _____

Reason for Nomination: _____

The above mentioned customer/employer is a member of the LibertyNetworks™ MHCP Network

Comments:

Signature: _____ Date: _____

Please forward to:
B.J. Enright
LibertyNetworks™
690 Lee Road, Suite 200
Wayne, PA 19087
610-971-9394
Fax: 603-334-8122

**LibertyNetworks™
Managed Health Care Plan**

EMPLOYEE RIGHTS & RESPONSIBILITIES

Your Employer and the LibertyNetworks™ Managed Health Care Plan (MHCP) are committed to seeing that you receive appropriate quality medical treatment if you are injured on the job.

Your Employer has a list of health care providers, medical doctors, chiropractors, podiatrists, osteopaths and dentists, and can assist you in selecting a provider from within the Coventry Integrated NetworkSM. It is your responsibility, under the law, to select a gatekeeper physician (Primary treating physician) if continued care is required.

- You must complete Form 113 and submit it to the LibertyNetworks™ MHCP, within 10 days, after treatment has begun with that provider.
- The LibertyNetworks™ MHCP will send you an identification card which will contain the name and telephone number of your workers' compensation insurance carrier and gatekeeper physician.
- You may change providers, within the MHCP, once during the course of your treatment.

Treatment from a non-participating provider may be necessary in the following events:

1. In an emergency;
2. You have been referred to the provider by an MHCP provider;
3. When authorized treatment is unavailable through the managed care plan; or
4. To obtain a second opinion when an MHCP physician recommends surgery.

In addition, if you are currently being treated for an injury that occurred prior to your company's enrollment in the LibertyNetworks™ MHCP, you may remain with your provider for the remainder of your treatment. However, if you wish to change providers, you must select one from the Coventry Integrated NetworkSM provider listing.

As an employee covered under the MHCP you have the right to expect that you will:

1. Receive emergency treatment as soon as practicable, preferably by a participating physician;
 - Note: You may continue treatment with this provider so long as the provider agrees to comply with MHCP rules.
2. Receive initial treatment by a participating physician within 24 hours of the MHCP's knowledge of the request for treatment;
3. Receive initial treatment by a participating physician in the MHCP within 5 working days following treatment by a physician outside the MHCP either as a change of doctor or after emergency treatment.
4. Receive screening and treatment if necessary by a MHCP physician in cases requiring inpatient hospitalization.
5. Receive specialized medical services, from a non-network provider, that the MHCP is not otherwise able to provide.
6. Not be billed by the provider in accordance with the rules of the MHCP. Should you receive a bill from your provider, please contact the MHCP following the Grievance Procedure.
7. Have the right to file a grievance to resolve a dispute related to medical services. A grievance must be in writing and must be filed within 30 days of the occurrence of the event that caused the dispute. LibertyNetworks™ MHCP will render a decision within 30 days of having received your written grievance. You also have the right to appeal this decision.

The Managed Care Law in Kentucky (803 KAR 25:096) requires you to comply with the requirements for provider selection. "The unreasonable failure of an employee to comply with the requirements of this section may suspend all benefits payable under KRS Chapter 342 until compliance by the employee and receipt of Form 113 by the medical payment obligor has occurred."

The law also states, "Any person or entity who willfully and knowingly makes any material false statement or representation for the purpose of obtaining any benefit or payment, for the purpose of defeating or wrongfully increasing or decreasing any claim for benefit or payment of workers' compensation coverage, or aides and abets for said purpose, shall be guilty of a felony.

If you have any questions you may contact:

Liberty Mutual Insurance Company
424 South Woods Mill Rd, Ste 100, Chesterfield MO 63017
866-568-1119), or
1-800-944-0443 (24 hour Provider Locator Service & General Info)

**LibertyNetworks™
Managed Health Care Plan
Grievance Policy**

INTRODUCTION:

Grievances from employees, employers, and providers are handled quickly, according to protocol, and documented in a Customer Satisfaction file in the office which received the complaint.

COMPLAINT SOURCE:

A grievance is a written complaint or written request that is delivered by the employer, employee or provider to the LibertyNetWorks™ MHCP which sets forth the nature of complaint or remedial action requested. The grievance must be submitted to the MHCP within thirty (30) days of the event giving rise to the grievance.

RECEIVING A GRIEVANCE:

All grievances must be reported to the LibertyNetworks™ MHCP Case Handler. The Case Handler will notify the Nurse Manager within 1 business day of receipt of the grievance. The Nurse Manager will verbally acknowledge the grievance within 2 business days of his/her receipt.

GRIEVANCE REVIEW PROCESS:

1. The Nurse Manager will investigate the grievance, which may include discussions with the Case Handler and the assigned Nurse Case Manager. During the pendency of the investigation the Nurse Manager will, as appropriate, provide status up-dates to the complainant.
2. The LibertyNetworks™ MHCP's Medical Director will be made aware of the grievance. The Nurse Manager and MHCP Medical Director will determine if, given the facts of the incident, additional training should be provided.

RESPONSE TIMEFRAME:

The LibertyNetworks™ MHCP will render a written decision upon the grievance within thirty (30) days of receipt by the MHCP. If the grievance involves an urgent treatment issue the investigation and resolution will be expedited to prevent undue delay.

DOCUMENTATION:

The LibertyNetworks™ MHCP will maintain records for two (2) years of each formal grievance which shall include the following:

- A description of the grievance
- The employee's name and address
- Names and addresses of the health care providers relevant to the grievance
- Employer's name and address; and
- Description of the MHCP's findings, conclusion and disposition of the grievance.

The above information will be kept in a Customer Satisfaction file in the office receiving the grievance or stored in a secure location. .

APPEALS:

Any employee or provider who is dissatisfied with the resolution of the grievance may apply for review by an administrative law judge. This appeal must be filed as a Request for Resolution within thirty (30) days of LibertyNetworks MHCP's™ final decision.

In filing an appeal for review by an administrative law judge, the complainant will be required to prove that the LibertyNetworks™ MHCP's final decision is unreasonable or in some other way does not conform to Kentucky Rule 342.

**LibertyNetworks™
Managed Health Care Plan**

GRIEVANCE FORM

EMPLOYEE NAME: _____ DATE: _____
EMPLOYEE ADDRESS: _____
CLAIM #: _____ DATE OF INJURY: _____
PHONE#: _____
EMPLOYER: _____
TYPE OF COMPLAINT: (ARISING FROM WHICH AREA OF MANAGED CARE PLAN?)

_____ NURSE CASE MANAGEMENT
_____ UTILIZATION MANAGEMENT
_____ MEDICAL PROVIDER
_____ OTHER

DESCRIPTION OF COMPLAINT:

DATE OF INCIDENT GIVING RISE TO COMPLAINT: _____

**COMPLAINTS CAN BE FILED DIRECTLY BY PHONE OR FAX TO THE LIBERTYNETWORKS™
MHCP CASE HANDLER OR REPORTED DIRECTLY BY PHONE OR FAX TO THE PLAN
ADMINISTRATOR REFERENCED BELOW:**

B.J. ENRIGHT
LIBERTY MUTUAL GROUP
690 Lee Road, Suite 200
WAYNE, PA 19087
(PH)800-637-4611(FAX) 603-334-8122

**THE COMPLAINT/GRIEVANCE MUST BE SUBMITTED TO LIBERTYNETWORKS™ MHCP WITHIN
THIRTY (30) DAYS OF THE INCIDENT GIVING RISE TO THE COMPLAINT. UPON RECEIPT,
LIBERTYNETWORKS™ WILL RESPOND VERBALLY WITHIN 2 BUSINESS DAYS, AND IN
WRITING, WITH A FINAL DETERMINATION, WITHIN THIRTY (30) DAYS.**

**AN APPEAL OF THIS DECISION CAN BE MADE BY FILING A “REQUEST FOR RESOLUTION”,
WITH THE KENTUCKY DEPARTMENT OF WORKERS CLAIMS, WITHIN THIRTY (30) DAYS OF
LIBERTY NETWORK’S™ FINAL DECISION. ASSISTANCE IN FILING SUCH A REQUEST CAN BE
OBTAINED BY CONTACTING, THE PLAN ADMINISTRATOR LISTED ABOVE, OR THE
KENTUCKY DEPARTMENT OF WORKERS CLAIMS AT 1-800-554-8601.**

LibertyNetworks™ Managed Health Care Plan Preferred Provider Network

EMPLOYEE SATISFACTION SURVEY

We would like you to take a few minutes to
complete this questionnaire regarding your visit to:

(Name of Provider)

As a(n) (Employer) employee, we want you to be satisfied with the treatment you have received.

1. Was the clinic clean? Yes _____ No _____
Comments: _____
2. How long did you wait before seeing a Doctor? _____
Comments: _____
3. Did the Doctor/Nurse treat you with care? Yes _____ No _____
Comments: _____
4. Did the Doctor/Nurse explain your diagnosis? Yes _____ No _____
Comments: _____
5. Overall, was the visit up to your expectations? Yes _____ No _____
Comments: _____

Employer Name: _____

Employee Signature: _____ Date: _____

Please return this completed questionnaire to:

B.J. Enright
LibertyNetworks™
690 Lee Road, Suite 200
Wayne, PA 19087
Or fax to: 603-334-8122

THANK YOU FOR YOUR TIME!

Adult Lifesaving Steps

CHECK

CALL

CARE

- ▶ Check the scene for safety
- ▶ Check the victim for consciousness, breathing, pulse, and bleeding

▶ Dial 9-1-1 or local emergency number

▶ Care for conditions you find

▶ If conscious but choking...



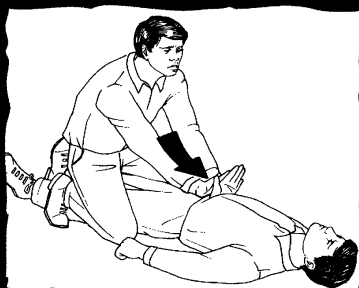
Give abdominal thrusts until object comes out

▶ If not breathing...

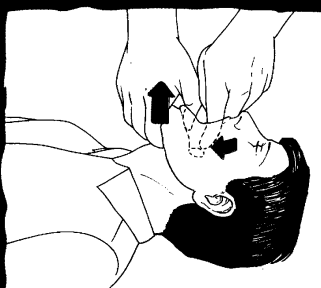


Give 1 slow breath about every 5 seconds

▶ If air won't go in...



STEP 1
Give up to 5 abdominal thrusts



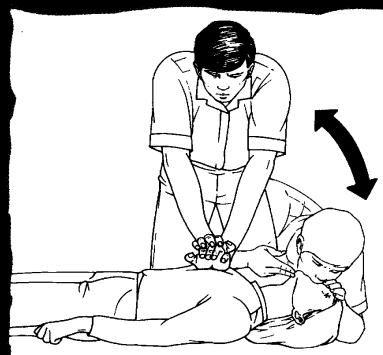
STEP 2
Clear any object from mouth



STEP 3
Reattempt breaths

Repeat steps 1, 2, & 3 until breaths go in or help arrives

▶ If not breathing and no pulse...



Give CPR—repeat sets of 15 compressions and 2 breaths

▶ If bleeding...



Apply pressure, elevate, and bandage

Local Emergency Telephone Number: _____

Everyone should know what to do in an emergency. Call your local American Red Cross _____ for information on CPR and first aid courses.

Copyright © 1993 by The American National Red Cross
Stock No. 052040
July 1993 96
ISBN: 0-8016-7738-4
For ordering information, please call 1-800-368-6828

Pasos Para Salvar la Vida de Adultos

REVISE

- Revise que el lugar sea seguro
- Revise si la víctima está consciente, respira, tiene pulso o está sangrando

LLAME

- Llame al 9-1-1, o al número local de emergencias

- Atienda los problemas que encuentre

► Si está consciente pero se está atragantando...



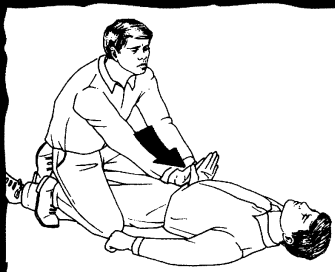
Aplique presiones abdominales hasta que expulse el objeto

► Si no respira...

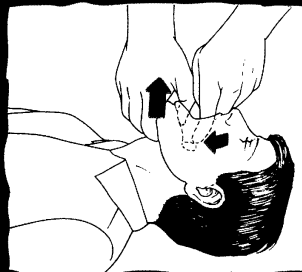


Déle 1 sopro lentamente cada 5 segundos aproximadamente

► Si el aire no entra...



PASO 1
Aplique hasta 5 presiones abdominales



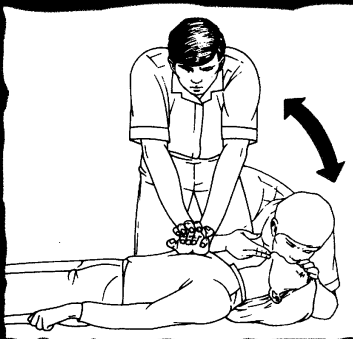
PASO 2
Sáque cualquier objeto de la boca



PASO 3
Vuelva a intentar darle los soplos

Repita los pasos número 1, 2 y 3 hasta que entre el aire o llegue la atención médica

► Si no respira ni tiene pulso...



Déle RCP—repita los ciclos de 15 compresiones y 2 soplos

► Si la víctima está sangrando...



Aplique presión contra la herida, eleve el área lesionada, y coloque una venda

El número local de emergencias es:

Todos deberíamos saber cómo actuar en caso de una emergencia. Si desea obtener más información sobre cursos de primeros auxilios y Reanimación Cardiopulmonar (RCP), llame a la oficina de la Cruz Roja Americana de su ciudad.

Número de teléfono: _____

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For ordering information,
please call 1-800-535-6848.