

338.101 Authority of commissioner.

- (1) In order to carry out the purposes of this chapter, the commissioner or the commissioner's authorized representative shall have the authority:
 - (a) To enter without delay and advance notice any place of employment during regular working hours and at other reasonable times in order to inspect such places, question privately any such employer, owner, operator, agent, employee, or employee's representative, and investigate such facts, conditions, practices, or matters deemed appropriate to determine the cause of, or to prevent the occurrence of, any occupational injury or illness.
 - (b) To administer oaths, take depositions, conduct hearings, take photographs, review any and all accident and illness records, and secure any other evidence deemed necessary to evaluate any occupational safety and health hazard in order to ascertain whether any person has violated any provision of this chapter or regulations issued pursuant thereto.
- (2) If an employer refuses such entry, then the commissioner may apply to the Franklin Circuit Court for an order to enforce the right of entry.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 1756, effective July 15, 2010. -- Created 1972 Ky. Acts ch. 251, sec. 11.