



STEVEN L. BESHEAR
GOVERNOR

EXECUTIVE ORDER

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TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY P. Kinsolving
05/02/08

Secretary of State
Frankfort
Kentucky

2008-472
June 2, 2008

RELATING TO REORGANIZATION
ESTABLISHING THE LABOR CABINET

WHEREAS, the Commonwealth of Kentucky has always promoted effective and efficient management of state government operations; and

WHEREAS, improved efficiency and economy will result from establishing organizational entities that manage programs effectively and share some administrative services; and

WHEREAS, services to the citizens of the Commonwealth will be greatly enhanced by establishing the Labor Cabinet:

NOW, THEREFORE, I, Steven L. Beshear, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by Sections 69 and 81 of the Kentucky Constitution and KRS 12.028, do hereby direct and order the following:

- I. The Labor Cabinet is hereby established. A secretary appointed by the Governor pursuant to KRS 12.255 shall head the cabinet. All organizational entities within, attached to, or associated with the former Department of Labor, as well as all duties, functions, responsibilities, personnel, records, files, equipment, budgets, appropriations, allotments, and cash balances assigned to those entities, shall be assigned to the Labor Cabinet.
- II. The Division of Management Services is hereby established within the Labor Cabinet and attached to the Office of the Secretary. A director appointed by the secretary with the approval of the Governor pursuant to KRS 12.050 shall head the office and report to the secretary. The division shall be composed of such organizational entities as the secretary deems appropriate and sets forth by administrative order.
- III. The Office of General Administration & Program Support for Shared Services is hereby established and attached to the Labor Cabinet for administrative purposes. An executive director appointed by the Governor pursuant to KRS 12.050 upon recommendations from the secretaries of the Energy and Environment Cabinet, Labor Cabinet, and Public Protection Cabinet shall head the office. All duties, responsibilities, functions, personnel, records, files, equipment, budgets, appropriations, allotments, and cash balances heretofore assigned to the Office of Administrative and Information Services in the Environmental and Public Protection Cabinet are hereby assigned to the Office of General Administration and Program Support for Shared Services attached to the Labor Cabinet. The office shall be composed of the following divisions:
 - A. The Division of Human Resource Management is hereby established within the office. A director appointed by the secretary of the Labor Cabinet with the approval of the Governor pursuant to KRS 12.050 shall head the division and report to the executive director. The division shall



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be composed of such organizational entities as the secretary deems appropriate and sets forth by administrative order.

- B. The Division of Fiscal Management is hereby established within the office. A director appointed by the secretary of the Labor Cabinet with the approval of the Governor pursuant to KRS 12.050 shall head the division and report to the executive director. The division shall be composed of such organizational entities as the secretary deems appropriate and sets forth by administrative order.
 - C. The Division of Budgets is hereby established within the office. A director appointed by the secretary of the Labor Cabinet with the approval of the Governor pursuant to KRS 12.050 shall head the division and report to the executive director. The division shall be composed of such organizational entities as the secretary deems appropriate and sets forth by administrative order.
 - D. The Division of Information Services is hereby established within the office. A director appointed by the secretary of the Labor Cabinet with the approval of the Governor pursuant to KRS 12.050 shall head the office and report to the executive director. The division shall be composed of such organizational entities as the secretary deems appropriate and sets forth by administrative order.
- IV. The Office of Inspector General for Shared Services is hereby established and attached to the Labor Cabinet for administrative purposes. An executive director appointed by the Governor pursuant to KRS 12.050 upon recommendations from the secretaries of the Energy and Environment Cabinet, Labor Cabinet, and Public Protection Cabinet, shall head the office. The office shall be composed of such organizational entities as the secretary of the Labor Cabinet deems appropriate and sets forth by administrative order.
- V. The Office of General Counsel is hereby established in the Labor Cabinet. A general counsel appointed by the secretary with the approval of the Governor pursuant to KRS 12.050 and 12.210 shall head the office and report to the secretary. All duties, responsibilities, functions, personnel, records, files, equipment, budgets, appropriations, allotments, and cash balances heretofore assigned to the Labor Legal Division within the Office of Legal Services within the Environmental and Public Protection Cabinet shall be assigned to the Office of General Counsel within the Labor Cabinet. The office shall be composed of such organizational entities as the secretary deems appropriate and sets forth by administrative order.
- A. An Office of General Counsel for Workers' Claims is hereby established within the Office of General Counsel within the Labor Cabinet. A general counsel appointed by the secretary with the approval of the Governor pursuant to KRS 12.050 and 12.210 shall head the office and report to the



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general counsel of the Labor Cabinet. All duties, responsibilities, functions, personnel, records, files, equipment, budgets, appropriations, allotments, and cash balances heretofore assigned to the Workers' Claims Legal Division within the Office of Legal Services within the Environmental and Public Protection Cabinet are hereby assigned to the Office of General Counsel for Workers' Claims within the Labor Cabinet. The office shall be composed of such organizational entities as the secretary deems appropriate and sets forth by administrative order.

- VI. The Department of Workplace Standards is hereby established within the Labor Cabinet. A commissioner appointed by the Governor pursuant to KRS 12.040 shall head the department and report to the secretary. All duties, responsibilities, personnel, records, files, equipment, budgets, appropriations, allotments, and cash balances heretofore assigned to the Office of Workplace Standards, the Office of Occupational Safety and Health, and the Office of Labor-Management Relations and Mediation within the Department of Labor within the Environmental and Public Protection Cabinet shall be assigned to the Department of Workplace Standards within the Labor Cabinet. The department shall be composed of the following divisions:
- A. The Division of Employment Standards Apprenticeship & Mediation is hereby established within the department. A director appointed by the secretary with the approval of the Governor pursuant to KRS 12.050 shall head the division and report to the commissioner. The division shall be composed of such organizational entities as the secretary deems appropriate and sets forth by administrative order.
 - B. The Division of Occupational Safety and Health Compliance is hereby established within the department. A director appointed by the secretary with the approval of the Governor pursuant to KRS 12.050 shall head the division and report to the commissioner. The division shall be composed of such organizational entities as the secretary deems appropriate and sets forth by administrative order.
 - C. The Division of Occupational Safety and Health Education and Training is hereby established within the department. A director appointed by the secretary with the approval of the Governor pursuant to KRS 12.050 shall head the division and report to the commissioner. The division shall be composed of such organizational entities as the secretary deems appropriate and sets forth by administrative order.
 - D. The Division of Workers' Compensation Funds is hereby established within the department. A director appointed by the secretary with the approval of the Governor pursuant to KRS 12.050 shall head the division and report to the commissioner. The division shall be composed of such organizational entities as the secretary deems appropriate and sets forth by administrative order.



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- VII. The Kentucky Occupational Safety and Health Review Commission as constituted in KRS 338.071 is hereby established and attached to the Labor Cabinet for administrative purposes. All the duties, responsibilities, personnel, records, files, equipment, budgets, appropriations, allotments, and cash balances heretofore assigned to the Kentucky Occupational Safety and Health Review Commissioner attached to the Office of the Secretary in the Environmental and Public Protection Cabinet are hereby assigned to the Kentucky Occupational Safety and Health Review Commission attached to the Labor Cabinet for administrative purposes.
- VIII. The Worker's Compensation Funding Commission as constituted in KRS 342.1223-.1224 is hereby established and attached to the Labor Cabinet for administrative purposes. All the duties, responsibilities, personnel, records, files, equipment, budgets, appropriations, allotments, and cash balances heretofore assigned to the Workers' Compensation Funding Commission attached to the Department of Labor for administrative purposes are hereby assigned to the Workers' Compensation Funding Commission attached to the Labor Cabinet for administrative purposes.
- IX. The Occupational Safety and Health Standards Board, as constituted in KRS 338.051; Kentucky Labor Management Advisory Council, as constituted in KRS 336.162; State Labor Relations Board, as constituted in KRS 345.120; Prevailing Wage Review Board, as constituted in KRS 337.522; Apprenticeship and Training Council, as constituted in KRS 343.020; and the Employers' Mutual Insurance Authority, as constituted in KRS 342.803, are hereby established and attached to the Labor Cabinet for administrative purposes. All the duties, functions, and responsibilities heretofore assigned to them in the Department of Labor within the Environmental and Public Protection Cabinet shall be assigned to them in the Labor Cabinet.
- X. The Department of Workers' Claims is hereby established within the Labor Cabinet. A commissioner nominated by the Workers' Compensation Nominating Commission, appointed by the Governor, and confirmed by the Senate pursuant to KRS 342.213 and 342.228 shall head the department. All organizational units in, attached to, or associated with the Office of Workers' Claims attached to the Department of Labor within the Environmental and Public Protection Cabinet, as well as all duties, responsibilities, personnel, records, equipment, budgets, appropriations, allotments, and cash balances for those units, are hereby assigned to the Department of Workers' Claims within the Labor Cabinet. The department shall be composed of the following offices and divisions:
- A. The Office of Administrative Law Judges is hereby established within the department. A chief administrative law judge appointed pursuant to KRS 342.230 shall head the office and report to the commissioner. The office shall be composed of such organizational entities as the secretary deems appropriate and sets forth by administrative order.



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- B. The Division of Claims Processing is hereby established within the department. A director appointed by the commissioner with the approval of the Governor pursuant to KR 12.050 and 342.230 shall head the division and report to the commissioner. The division shall be composed of such organizational entities as the secretary deems appropriate and sets forth by administrative order.
- C. The Division of Security and Compliance is hereby established within the department. A director appointed by the commissioner with the approval of the Governor pursuant to KRS 12.050 and 342.230 shall head the division and report to the commissioner. The division shall be composed of such organizational entities as the secretary deems appropriate and sets forth by administrative order.
- D. The Division of Information and Research is hereby established within the department. A director appointed by the commissioner with the approval of the Governor pursuant to KRS 12.050 and 342.230 shall head the division and report to the commissioner. The division shall be composed of such organizational entities as the secretary deems appropriate and sets forth by administrative order.
- E. The Division of Ombudsman and Workers' Compensation Specialist Services is hereby established within the department. A director appointed by the commissioner with the approval of the Governor pursuant to KRS 12.050 and 342.230 shall head the division and report to the commissioner. The division shall be composed of such organizational entities as the secretary deems appropriate and sets forth by administrative order.
- F. The Workers' Compensation Board, as constituted in KRS 342.213, is hereby established and attached to the Department of Workers' Claims within the Labor Cabinet for administrative purposes. All the duties, responsibilities, personnel, records, files, equipment, budgets, appropriations, allotments, and cash balances assigned to the Workers' Compensation Board attached to the Office of the Secretary within the Environmental and Public Protection Cabinet are hereby assigned to the Workers' Compensation Board attached to the Department of Workers' Claims within the Labor Cabinet for administrative purposes.
- G. The Workers' Compensation Advisory Council, as constituted in KRS 342.0012, and the Workers' Compensation Nominating Commission, as constituted in KRS 342.213, are hereby established and attached to the Department of Workers' Claims within the Labor Cabinet for administrative purposes. All the duties, functions, and responsibilities heretofore assigned to them in the Office of Workers' Claims attached to the Department of Labor within the Environmental and Public Protection Cabinet shall be assigned to them in the Department of Workers' Claims within the Labor Cabinet.



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- XI. The Labor Cabinet, the Office of State Budget Director, the Personnel Cabinet, and the Finance and Administration Cabinet shall take all necessary steps to effectuate this order.

This order shall be effective June 16, 2008.

A handwritten signature in black ink, appearing to read "Steven L. Beshear", written over a horizontal line.

STEVEN L. BESHEAR, GOVERNOR
Commonwealth of Kentucky

A handwritten signature in black ink, appearing to read "Trey Grayson", written over a horizontal line.

TREY GRAYSON
Secretary of State