

1 AN ACT creating the Classification of Workers in the Construction Industry Task
2 Force.

3 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

4 ➔Section 1. The Legislative Research Commission shall establish the
5 Classification of Workers in the Construction Industry Task Force.

6 ➔Section 2. The duties of the task force shall include but are not limited to:

7 (1) Studying the cooperation and sharing of information between relevant state
8 and federal agencies as it relates to the classification of workers in the construction
9 industry;

10 (2) Studying the existing methods, both in Kentucky and in other jurisdictions, of
11 preventing, investigating, receiving complaints, and taking enforcement action against
12 employers that incorrectly classify employees;

13 (3) Studying ways to prevent the incorrect classification of workers, such as
14 through education of employers, employees, and the general public or changes to statutes
15 or regulations; and

16 (4) Developing a comprehensive plan with measurable goals to reduce the
17 practice of incorrectly classifying employees in the Commonwealth.

18 ➔Section 3. (1) The task force shall be composed of the following members,
19 with final membership of the task force being subject to the consideration and approval of
20 the Legislative Research Commission:

21 (a) Three members of the Senate, two to be appointed by the President of the
22 Senate and one to be appointed by the Minority Floor Leader of the Senate;

23 (b) Three members of the House of Representatives, two to be appointed by the
24 Speaker of the House and one to be appointed by the Minority Floor Leader of the House;

25 (c) The commissioner of the Department of Workers' Claims or designee;

26 (d) The commissioner of the Department of Workplace Standards or designee;

27 (e) The commissioner of the Department of Revenue or designee;

1 (f) The commissioner of the Department of Workforce Investment or designee;

2 (g) The president of the Kentucky Employers' Mutual Insurance or designee;

3 (h) The president and chief executive officer of the Kentucky Chamber of
4 Commerce or designee;

5 (i) Three representatives of the Indiana/Kentucky/Ohio Regional Council of
6 Carpenters submitted by the organization;

7 (j) Three representatives of the construction industry, one to be chosen by the
8 Speaker of the House, one to be chosen by the President of the Senate, and one to be
9 chosen jointly by the Speaker of the House and the President of the Senate, from a list of
10 six candidates, consisting of two candidates submitted by the Indiana/Kentucky Chapter
11 of the Associated Builders and Contractors, two candidates submitted by the Associated
12 General Contractors of Kentucky, and two candidates submitted by the Home Builders
13 Association of Kentucky; and

14 (k) One representative from a public employer to be selected from a list of three
15 candidates, consisting of one candidate submitted by the Kentucky League of Cities, one
16 candidate submitted by the Kentucky Association of Counties, and one candidate
17 submitted by the Kentucky School Boards Association.

18 (2) The President of the Senate and the Speaker of the House shall each appoint
19 one co-chair of the task force from among that chamber's members appointed to the task
20 force.

21 ➔Section 4. The task force shall meet at least monthly during the 2020 Interim of
22 the General Assembly. The task force shall submit its findings, recommendations, and
23 any proposed legislation to the Legislative Research Commission for referral to the
24 appropriate committee or committees by December 1, 2020.

25 ➔Section 5. Provisions of this Resolution to the contrary notwithstanding, the
26 Legislative Research Commission shall have the authority to alternatively assign the
27 issues identified herein to an interim joint committee or subcommittee thereof and to

- 1 designate a study completion date.
- 2 ➔ Section 6. Sections 1 to 5 of this Act shall have the same legal status as a House
- 3 Concurrent Resolution.