

### **345.120 State Labor Relations Board.**

- (1) There is hereby created and established a State Labor Relations Board to assist in resolving disputes between public employers and firefighters or their labor organization which shall be composed of three (3) members appointed by the Governor, one (1) for a term of two (2) years, one (1) for a term of three (3) years, and one (1) for a term of four (4) years. The Governor shall designate one (1) member to serve as chairman of the board. Thereafter, upon the expiration of the term of any member, members shall be appointed for four (4) year terms by the Governor.
- (2) Each member of the board shall have been an elector in this state for at least one (1) year next preceding his appointment. Any member may be removed by the Governor for cause, shown in an administrative hearing conducted in accordance with KRS Chapter 13B. The Governor shall fill any vacancy by appointment for the unexpired term. No member shall receive a salary but each member shall be paid fifty dollars (\$50) and expenses for each day during which he is engaged in the duties of the board. The board is authorized to hold hearings at any place in this state. Any and all expenses incurred by the Labor Relations Board shall be shared by all parties concerned in the dispute.
- (3) The board shall appoint employees necessary to carry out the work of the board. All files, records, and documents accumulated by the board shall be kept in offices provided by the board. All decisions shall be made by a majority of the board.
- (4) To accomplish the objectives and to carry out the duties prescribed by this chapter, the board may subpoena witnesses; issue subpoenas to require the production of books, papers, records, and documents which may be needed as evidence in any matter under inquiry; and administer oaths and affirmations.
- (5) In case of neglect or refusal to obey a subpoena issued to any person, the Circuit Court of the county in which the investigations or the public hearings are taking place, upon application by the board may issue an order requiring the person to appear before the board, any member, or agent, to produce evidence or give testimony about the matter under investigation. A failure to obey a court order may be punished by the court as a contempt.
- (6) Any subpoena, notice of hearing, or other process or notice of the board issued under the provisions of this chapter, with the exception of notice requirements for administrative hearings as provided in KRS Chapter 13B, may be served personally, by certified mail, return receipt requested or by leaving a copy at the principal office or place of residence of the respondent required to be served. A return, made and verified by the individual making service and setting forth the manner of service is proof of service and a returned post-office receipt, when certified mail is used, is proof of service. All process of any court to which application may be made under the provisions of this chapter may be served in the county in which the persons required to be served reside or may be found.
- (7) The board shall, promulgate, amend, or repeal any administrative regulations necessary and administratively feasible to carry out the provisions of this chapter. Public hearings shall be held by the board, pursuant to KRS Chapter 13A, on any

proposed administrative regulation of general applicability designed to implement, interpret, or prescribe policy, procedure, or practice requirements under the provisions of this chapter and on any proposed change in an existing administrative regulation.

- (8) The board shall be attached to the Department of Labor for administrative purposes.

**Effective:** July 15, 1996

**History:** Amended 1996 Ky. Acts ch. 318, sec. 327, effective July 15, 1996. -- Amended 1984 Ky. Acts ch. 414, sec. 43, effective July 13, 1984. -- Amended 1980 Ky. Acts ch. 114, sec. 97, effective July 15, 1980. -- Amended 1976 Ky. Acts ch. 299, sec. 87. -- Amended 1974 Ky. Acts ch. 315, sec. 73. -- Amended 1974 Ky. Acts ch. 308, sec. 60. -- Created 1972 Ky. Acts ch. 120, sec. 13.

**Legislative Research Commission Note (6/20/2005).** 2005 Ky. Acts chs. 11, 85, 95, 97, 98, 99, 123, and 181 instruct the Reviser of Statutes to correct statutory references to agencies and officers whose names have been changed in 2005 legislation confirming the reorganization of the executive branch. Such a correction has been made in this section.