

INSTRUCTIONS FOR EMPLOYEE'S WRITTEN NOTICE OF REJECTION

It is unlawful for an employer to require an employee to execute a rejection of the Workers' Compensation Act as a condition of obtaining or maintaining employment. An employer shall not terminate an employee for refusal to execute this form. Effect shall not be given to any form not voluntarily executed. An employer can be fined up to \$2,000 for each notice it requires an employee to execute as a condition of employment. The fact that all employees of an employer have executed rejections is evidence tending to prove that execution of the rejection was not voluntary.

Pursuant to KRS 342.395, a Rejection Notice (FORM 4) does not become effective until the **original** of the Form 4 is received from the employer and accepted for filing by the Department of Workers' Claims. Photocopies or facsimiles of this form will not be accepted. All parts of the Form 4 must be completed as incomplete forms will not be accepted for filing. Executed Rejection Notices should be mailed to: **Department of Workers' Claims, ATTENTION: Enforcement Branch, Prevention Park, 657 Chamberlin Avenue, Frankfort, Kentucky 40601.**

If you want to have a filing of a Form 4 acknowledged by the Department, you must forward with the original, a photostatic copy and a self-addressed stamped envelope.

An employer must keep on file copies of all Rejection notices signed by current employees and open those records to inspection upon request of representatives of the Department of Workers' Claims.

An employee may withdraw the rejection of coverage by executing a written notice of withdrawal form (Form 5), setting forth the time at which the withdrawal is to be effective. The employer must, in turn, notify the Department of Workers' Claims of this election to withdraw the rejection. Withdrawals are not effective as to any injury sustained or disease incurred less than one week after the notice is filed.

If you have any questions, please contact the Enforcement Branch at (800) 731-5241.

If you need to order blank forms, please contact Administrative Services at (502) 564-5550, ext. 4490.