

## 2021 Kansas Statutes

**44-401. Definitions.** As used in K.S.A. 44-401 through 44-412, and amendments thereto:

- (a) "Applicant" means any person who uses or attempts to use the services of a private employment agency in seeking employment.
- (b) "Employer" means a person employing or seeking to employ a person for compensation, or any representative or employee of such a person.
- (c) "Fee" means anything of value, including money or other valuable consideration or services or the promise of any of the foregoing, required or received by a private employment agency in payment for any of its services or any act rendered or to be rendered by the private employment agency.
- (d) "Person" means any individual, association, partnership or corporation.
- (e) (1) "Private employment agency" means any business which is operated for profit in this state and which:
  - (A) Secures employment; or
  - (B) by any form of advertising holds itself out to applicants as able to secure employment or to provide information or service of any kind purporting to promote, lead to or result in employment for the applicant with any employer other than itself.
- (2) "Private employment agency" does not include:
  - (A) Any educational, religious, charitable, fraternal or benevolent organization which charges no fee for services rendered in securing employment or providing information about employment;
  - (B) any employment service operated by the state, the United States or any political subdivision of the state, or any agency thereof;
  - (C) any temporary help service that at no time advertises or represents that its employee may, with the approval of the temporary help service, be employed by one of its client companies on a permanent basis;
  - (D) any newspaper or publication of general circulation;
  - (E) any radio or television station; or
  - (F) any employment service where the fee is paid by the employer.

**History:** L. 1911, ch. 187, § 1; R.S. 1923, 44-401; L. 1971, ch. 178, § 1; L. 1976, ch. 370, § 9; L. 1984, ch. 180, § 1; L. 1995, ch. 235, § 1; L. 1996, ch. 218, § 1; July 1.