

Kansas Administrative Regulations

Kansas Human Rights Commission

Article 70.—Nondiscrimination on the Basis of Disability by Public Accommodations

21-70-15. Undue burden: definition and determination.

(a) "Undue burden" means significant difficulty or expense.

(b) In determining whether an action would result in an undue burden, factors to be considered shall include:

(1) the nature and cost of the action needed under the act;

(2) the overall financial resources of the site or sites involved in the action

considering:

(A) the number of persons employed at the site;

(B) the effect on expenses and resources;

(C) legitimate safety requirements that are necessary for safe operation, including crime prevention measures; and

(D) how the action would otherwise impact the operation of the site; and

(3) whether the site or sites in question have a parent corporation or entity, and if so:

(A) the geographic separateness, and the administrative or fiscal relationship of the site or sites in question to the parent corporation or entity;

(B) the overall financial resources of any parent corporation or entity;

(C) the overall size of the parent corporation or entity with respect to the number of its employees;

(D) the number, type, and location of the parent corporation's or entity's facilities; and

(E) the type of operation or operations of any parent corporation, including the composition, structure, and functions of its workforce.

(Authorized by K.S.A. 44-1004; implementing K.S.A. 44-1009; effective Dec. 19, 1994.)