

Kansas Administrative Regulations

Kansas Human Rights Commission

Article 80.—Age Discrimination in Employment

21-80-3. Age information on job applications and other preemployment inquiries.

(a) Any preemployment inquiry in connection with prospective employment which expresses directly or indirectly any limitation, specification, or discrimination as to age shall be unlawful unless based upon a bona fide occupational qualification. The burden shall be on the employer, employment agency or labor organization to demonstrate that the direct or indirect preemployment inquiry is based upon a bona fide occupational qualification.

(b) The following inquiries shall be permissible:

(1) Preemployment inquiries regarding the age of an applicant if the inquiry is made in good faith for a non-discriminatory purpose; and

(2) preemployment inquiries to determine that an applicant is over 18 years of age.
(Authorized by K.S.A. 1991 Supp. 44-1121; implementing K.S.A. 1991 Supp. 44-1113; effective Dec. 28, 1992.)

***** Authenticated Kansas Administrative Regulation *****