

Kansas Administrative Regulations

Department of Labor

Article 23.—Procedure

49-23-5. (a) Service of papers.

Petitions, complaints and other papers filed with the secretary shall be served by personal service, by certified mail, by telegraph or by leaving a copy thereof in the office or place of business of the person to be served.

(1) If service is by personal service or by leaving a copy of the paper in the office or place of business of the person to be served, a written return shall be made by the person serving the paper. The return shall state the time, place and manner of service, and shall be signed by the person serving the paper.

(2) If service is by certified mail or by telegraph, the signed post office receipt or telegraph receipt shall constitute proof of service.

(b) Any person, association or entity wishing to file a petition, complaint or other paper with the secretary shall submit the original petition, complaint or other paper and two copies to the secretary.

(c) Service upon attorney. If a party is represented by an attorney, all papers other than the complaint, notice of original hearings, decisions and orders may be served as herein provided upon the attorney and the service shall have the same force and effect as though served upon the party.

(d) Notice by the secretary. The secretary shall provide to all parties to an action copies of pleadings duly filed with the secretary.

(e) Intervention. Any third party having a legitimate interest in any proceeding before the secretary may file a motion to intervene setting forth facts sufficient to establish such interest and requesting the secretary to allow it to intervene in the matter. The secretary shall serve a copy of the motion to intervene on all parties, granting the parties five (5) days in which to respond, then issue an order either allowing or disallowing the motion to intervene. Any organization which is recognized as the representative of a unit shall

be considered to have a legitimate interest in any proceeding involving said unit or any portion thereof.

(Authorized by K.S.A. 72-5432; implementing K.S.A. 72-5417, 72-5418, 72-5419, 72-5420, 72-5427, 72-5430; effective, E-81-38, Dec. 10, 1980; effective May 1, 1981.)

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