

Act 750 of the 1989 Regular Session.

Act 750

HB1665

By: Representative Matthews

"AN ACT TO AMEND ARKANSAS CODE 11-11-202 TO ADD THE PUBLISHERS OF PAID ADVERTISEMENTS TO THOSE PERSONS EXEMPT FROM THE DEFINITION OF "EMPLOYMENT AGENCY" UNDER THE ARKANSAS PRIVATE EMPLOYMENT AGENCY ACT; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Subdivision (6) of Arkansas Code 11-11-202 is hereby amended to read as follows:

"(6) "Employment agent" or "employment agency" means any person engaged for hire, compensation, gain, or profit in the business of furnishing persons seeking employment with information or other service enabling the persons to procure employment by or through employers or furnishing any other person who may be seeking to employ or may be in the market for help of any kind with information enabling the other person to procure help. However, "employment agent" or "employment agency" does not mean:

(A) Any person who prepares resumes for individuals for employment purposes, if the person who prepares the resumes does not refer or purport to refer prospective employees to employers or employers to prospective employees, does not represent himself or herself as an employment agency, or does not have any financial connection with any employment agency;

(B) Any person who employs individuals to render part-time or temporary services to, for, or under the direction of a third person if the person employing the individuals, in addition to wages or salaries, pays federal social security taxes, state and federal unemployment insurance, and secures work-service to, for, or under the direction of a third person;

(C) Any bona fide nursing school, nurses registry, management consulting firm, business school, or vocational school whose primary function and purpose is training and education, except that if such an organization charges a fee, directly or indirectly, for job placement of individuals, the organization shall be an employment agency within the meaning of this subchapter;

(D) A labor organization;

(E) Any person who publishes advertisements placed and paid for by a third person seeking employment or an employee, provided such person does not procure or offer to procure employment or employees;"

SECTION 2. All provisions of this act of general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED: March 21, 1989

---

