

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 995

Short Title: Regulate Certain Empl. Agencies.

(Public)

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Sponsors: Representatives Wainwright; Cunningham, Fitch, Hensley, H. Hunter, Kahl, Luebke, McAllister, and Michaux.

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Referred to: Economic Expansion.

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April 19, 1991

1 A BILL TO BE ENTITLED  
2 AN ACT TO REGULATE CERTAIN EMPLOYMENT AGENCIES EXEMPTED  
3 FROM CURRENT REGULATION.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 95-47.1(16) reads as rewritten:

6 "(16) 'Private personnel service' means any business operated in the State  
7 of North Carolina by any person for profit which secures  
8 employment or by any form of advertising holds itself out to  
9 applicants as able to secure employment or to provide information  
10 or service of any kind purporting to promote, lead to or result in  
11 employment for the applicant with any employer other than itself,  
12 ~~where any~~ regardless of whether an applicant may become liable for  
13 the payment of a fee to the private personnel service, either directly  
14 or indirectly. 'Private personnel service' does not include:

- 15 a. Any educational, religious, charitable, fraternal or benevolent  
16 organization which charges no fee for services rendered in  
17 securing employment or providing information about  
18 employment;
- 19 b. Any employment service operated by the State of North  
20 Carolina, the Government of the United States, or any city,  
21 county, or town, or any agency thereof;
- 22 ~~e. Any temporary help service that at no time advertises or~~  
23 ~~represents that its employee may, with the approval of the~~

1                   ~~temporary help service, be employed by one of its client~~  
2                   ~~companies on a permanent basis and which does not act as a~~  
3                   ~~private personnel service or an employer fee paid personnel~~  
4                   ~~service;~~

5                   d. Any newspaper of general circulation or other business engaged  
6                   primarily in communicating information other than information  
7                   about specific positions of employment and that does not  
8                   purport to adapt the information provided to the needs or  
9                   desires of an individual subscriber;

10                  e. Employment offices that charge no fee to the applicant other  
11                  than union dues or to the employer and which are used solely  
12                  for the hiring of employees under a valid union contract by the  
13                  employer subscribing to this ~~contract;~~ contract.

14                  f. ~~Any employer fee paid personnel consulting service or~~  
15                  ~~temporary help service that offers temporary to permanent~~  
16                  ~~placement when the service operates on a one hundred percent~~  
17                  ~~(100%) employer fee paid service basis, requires no applicant~~  
18                  ~~placement contract, and has no recourse against an applicant for~~  
19                  ~~a fee under any circumstances."~~

20                  Sec. 2. G.S. 95-47.14 is repealed.

21                  Sec. 3. G.S. 95-47.15 is repealed.

22                  Sec. 4. This act becomes effective October 1, 1991.