

● EMPLOYMENT AGENCY LAW

STATUTORY CITATION: Minn. Stat. §§ 184.21 – 184.41

GENERAL SUMMARY: Chapter 184 of the Minnesota statutes regulates the operation of employment agencies in the state, implicitly including certain agricultural crew leaders and labor contractors.

SPECIFIC TERMS AND CONDITIONS

Every employment agent — defined as an individual, firm or other group that engages for profit or compensation in the business of furnishing workers with information or services enabling them to obtain employment, or furnishing anyone who is in the market for help of any kind with information enabling the employer to obtain workers — must enter into a written contract with each worker to whom the agent renders services. The contract must be dated and show the name of the agent, the charges or fees to be paid by the worker for the agent's services, and other prescribed information.

Among other conditions specified in the law, employment agents are required (1) to give every worker from whom any fees or charges are exacted an itemized receipt for each such charge, and (2) to keep a detailed record identifying each employer to whom any worker was referred, the name and address of each such worker, the occupation or position offered and filled, the expected duration of employment, the wage to be paid, the amount of the agent's fee, the date and amount of payment, and related information. It is unlawful, among other practices, for an employment agent to knowingly print or publish a false or fraudulent notice or advertisement regarding employment.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — *Labor Standards Division, Minnesota Department of Labor and Industry, St. Paul, Minnesota 55155 (651-284-5070)*. The Department has supervisory and investigative authority over employment agencies, agents and counselors. Representatives of this agency have the right to examine all records required to be kept by such entities and to investigate the advertisements and other communications circulated by them before the public, to determine compliance. The Department may take legal action against employment agencies or agents for confirmed violations, and any such violation may also be prosecuted as a criminal offense.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None*.