

## ● EMPLOYMENT AGENCY LAW

*STATUTORY CITATION:* Neb. Rev. Stat. §§ 48-501.01 – 48-524

*GENERAL SUMMARY:* The state labor laws include provisions regulating the business practices of employment agencies, which may include certain farm labor contractors.

### *SPECIFIC TERMS AND CONDITIONS*

**LICENSING** — No person, firm or corporation may procure employment for any worker, where a fee or other valuable consideration is collected directly from the job-seeker, without first being licensed as a private employment agency. Similarly, no labor agent or other entity from outside the state may enter Nebraska and attempt to recruit, hire or transport out of Nebraska any agricultural workers, singly or in groups, for any purpose without an employment agency license permitting such activity.

**BOND** — Each applicant for a license must secure a surety bond in the amount of \$10,000, conditioned on compliance with the duties, responsibilities and restrictions imposed on licensees by these provisions.

**RECORDKEEPING** — Entities licensed as private employment agencies must issue to each worker placed on the job, and to each employer furnished with one or more workers, a record showing the occupation involved, the name and address of the worker, the amount of the fee charged the worker, the wages to be paid, the name and address of the employer, and the existence of any known strike or lockout at the job site.

**REPORTING** — Labor agents who recruit or hire farmworkers in Nebraska for employment outside the state must make monthly reports to the state enforcement agency showing (1) the name and address of each contractor, recruiter or comparable representative engaged in such activities on their behalf, (2) the name, address, age and sex of each worker solicited for out-of-state employment, (3) the name and address of each employer to whom the worker is referred, (4) the place of employment, (5) the kind of work to be performed, (6) the term of employment, (7) the wages to be paid, and (8) whether or not transportation is to be furnished, arranged or paid for, either out of or on return to Nebraska.

### *ADMINISTRATION AND ENFORCEMENT*

**PRIMARY ENFORCEMENT AGENCY** — *Office of Labor Standards, Nebraska Department of Labor, Lincoln, Nebraska 68508 (402-471-2239).* The Department is responsible for the licensing of private employment agencies in the state and for monitoring their compliance with these provisions. The Department may cancel the license of any employment agency found to have violated the requirements imposed on the licensee and may institute criminal proceedings to enforce the prescribed penalties. The Department is also authorized to bring action in the name of the state against the licensee's bond for violation of any of its conditions, and to approve action on the bond by private parties.

**SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY** — *None.*