

CHAPTER 5200
DEPARTMENT OF LABOR AND INDUSTRY
WAGES AND LABOR

5200 0500 DEFINITIONS
 5200 0600 FEE INFORMATION ON
 CONTRACTS
 5200 0610 ACCEPTANCE FORM STANDARDS
 5200 0620 FEE DETERMINATION

5200 0680 COLLECTION OF FEE FROM
 APPLICANT
 5200 0700 JOB ORDER FORM
 5200 0800 ANNUAL RECORD OF SERVICE
 REPORT

5200.0500 DEFINITIONS.

[For text of subpart 1, see M.R.]

Subp. 2. **Accept.** "Accept" means that the applicant has agreed with the employer on a specific position, wages, hours, working conditions, and a specific starting date, and has signed an acceptance form in which the agency has designated the terms of the acceptance. The applicant may withdraw the acceptance provided that the applicant did not actually start the job.

Subp. 3. **Fee status.** "Fee status" is the designation on the job order which describes the fee liability. The designated fee status for job listing services shall be limited to concurrent fee arrangement. The designated fee status for liability for placement shall be limited to one of the following terms:

[For text of subp 3, items A to F, see M.R.]

[For text of subps 4 and 5, see M.R.]

Statutory Authority: *MS s 184.24 subd 1*

History: *13 SR 2868*

5200.0600 FEE INFORMATION ON CONTRACTS.

Subpart 1. **Job placement.** Applicant contracts with employment agencies engaged in the placement of applicants shall contain all of the following statements unless language less restrictive to the applicant is approved by the department:

[For text of subpart 1, items A to D, see M.R.]

Where the applicant undertakes no fee liability of any nature, the contract, as an alternative to items A to D, may read: "I understand that I am not liable for any fee and that compensation to the agency is to be settled between the employer and the agency."

Subp. 2. **Job listing.** Applicant contracts with job listing services shall contain the following statement: "I understand that a fee shall be due the job listing service at the time of contractual arrangements. No other fee shall be collected for services rendered, provided that fees for job placement may be charged and the fee arrangement for placement shall be contained in a separate contract."

Statutory Authority: *MS s 184.24 subd 1*

History: *13 SR 2868*

5200.0610 ACCEPTANCE FORM STANDARDS.

The acceptance form, with employment agencies engaged in placement activities, to be signed by the applicant shall contain the following information:

[For text of items A to K, see M.R.]

5200.0610 WAGES AND LABOR

2

Statutory Authority: *MS s 184.24 subd 1***History:** *13 SR 2868***5200.0620 FEE DETERMINATION.**

The following terms and methods shall be used in determining amount of fee due:

[For text of items A to D, see M.R.]

E. A fee based on a concurrent fee arrangement shall be uniform for all applicants serviced.

Statutory Authority: *MS s 184.24 subd 1***History:** *13 SR 2868***5200.0680 COLLECTION OF FEE FROM APPLICANT.**

No fee or portion of a fee except a concurrent fee arrangement shall be collected from an applicant before the actual start date.

Statutory Authority: *MS s 184.24 subd 1***History:** *13 SR 2868***5200.0700 JOB ORDER FORM.**

The following information must be contained on the job order form for each bona fide job order:

[For text of items A to S, see M.R.]

T. Fee status. One of the following terms shall be used to indicate the fee status for placement:

[For text of item T, subitems (1) to (6), see M.R.]

U. The term "concurrent fee" shall be used to indicate the fee status for job listing services only.

Statutory Authority: *MS s 184.24 subd 1***History:** *13 SR 2868***5200.0800 ANNUAL RECORD OF SERVICE REPORT.**

Subpart 1. **Job placement.** A record of service shall be maintained in a separate ledger in the office of each employment agency for a period of three years and shall contain the information required by Minnesota Statutes, section 184.38, subdivision 5. Each agency shall submit annually to the department with its agency license renewal application, a summary of the above record which contains the following information for the preceding year:

- A. total applicants placed;
- B. total annual salaries of placements; and
- C. total amount of fees collected.

The individual summary shall be used solely for compilation of statistical data for the employment industry as a whole.

The summary shall be submitted on a form provided by the department which shall make provision for its protection from usage inconsistent with its purpose.

Subp. 2. **Job listing.** Job listing service record of service report shall include:

- A. total applicants serviced; and
- B. total amount of fees collected.

Statutory Authority: *MS s 184.24 subd 1***History:** *13 SR 2868*