

Introduced: 4/17/79
Referred: Labor & Management

1 IN THE HOUSE

BY THE LABOR AND
MANAGEMENT COMMITTEE

2 HOUSE BILL NO. 462

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to employment agencies."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 23.15 is amended by adding new sections to read:

9 Sec. 23.15.445. CONTRACTS. (a) The entire agreement between an
10 applicant for employment and an employment agency shall be contained in
11 a writing prominently identified as a contract.

12 (b) The employment agency shall furnish the applicant for employ-
13 ment with a copy of the contract at the time the contract is entered
14 into and at any time thereafter upon the applicant's request.

15 (c) The following shall appear conspicuously on the face of the
16 contract:

17 (1) the name, address, and telephone number of the employment
18 agency;

19 (2) the name of the applicant for employment;

20 (3) the amount of the fee charged the applicant;

21 (4) the kind of work to be performed, the duration of the
22 employment, the wages or salary, and other conditions of employment;

23 (5) notification to the applicant of his opportunity to make
24 complaint to the department regarding the conduct of the employment
25 agency;

26 (6) the address of the local office of the department to
27 which any complaints regarding the conduct of the employment agency may
28 be submitted;

29 (7) notification to the applicant of the provisions of

1 AS 23.15.475(b).

2 Sec. 23.15.455. ACCOUNTING. An employment agency shall furnish an
3 applicant for employment a full accounting of any fees paid by the
4 applicant upon written request made by the applicant.

5 Sec. 23.15.465. NOTICE. An employment agency shall display in a
6 conspicuous place in each place of business a notice indicating the
7 applicant's opportunity to make complaint regarding the conduct of the
8 agency to the department and the address of the local office of the
9 department to which a complaint may be submitted.

10 Sec. 23.15.475. MAXIMUM FEES. (a) Subject to (b) of this section
11 an employment agency may not receive in consideration from an applicant
12 for employment more than

13 (1) 10 per cent of the gross amount earned by the applicant
14 in a temporary position obtained through the agency;

15 (2) 10 per cent of the applicant's first two months earnings
16 in a permanent position obtained through the agency, if monthly earnings
17 are less than \$600;

18 (3) 30 per cent of the applicant's first two months earnings
19 in a permanent position obtained through the agency, if monthly earnings
20 are more than \$600;

21 (b) If employment obtained through the agency is terminated for
22 any reason during the first 30 calendar days of employment, an employ-
23 ment agency may receive as a fee not more than 20 per cent of the gross
24 amount earned by the employee.

25 (c) In this section, "permanent position" means employment which
26 under the terms of the contract required under AS 23.15.445 is to be
27 more than 90 days in duration.

28 (d) In this section, "temporary position" means employment which
29 under the terms of the contract required under AS 23.15.445 is to be

1 less than 90 days in duration.

2 * Sec. 2. AS 23.15.450 is amended to read:

3 Sec. 23.15.450. APPLICANT'S RECEIPT. An agency shall give to an
4 applicant for employment from whom a fee is [TO BE] received a receipt.
5 The receipt shall contain

6 (1) the name, address and telephone number of the employment
7 agency;

8 (2) the name of the applicant;

9 (3) the name and address of each [THE] person to whom the
10 applicant is sent for employment, and the address to which the applicant
11 is to report for work;

12 (4) the amount of the fee charged and collected from the
13 applicant;

14 (5) the kind of work to be performed, the wages or salary,
15 and other conditions of employment;

16 (6) a notification to the applicant of his opportunity to
17 make complaint to the department regarding the conduct of the employment
18 agency;

19 (7) the address of the local office of the department to
20 which any complaints regarding the conduct of the employment agency may
21 be submitted.

22 * Sec. 3. AS 23.15.480 is amended to read:

23 Sec. 23.15.480. RETURN OF FEES. If the applicant paying a cash
24 fee fails to obtain employment or if an applicant terminating within 30
25 days has overpaid under AS 23.15.475, the agency shall, upon demand,
26 refund the amount owed the applicant [RETURN THE AMOUNT OF THE FEE] to
27 the applicant within 48 hours.

28 * Sec. 4. AS 23.15.500 is amended to read:

29 Sec. 23.15.500. DEPARTMENT MAY ADOPT REGULATIONS. The department

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shall [MAY] adopt [RULES AND] regulations consistent with AS 23.15.330 -
23.15.520, including regulations which prescribe
(1) the form of the contract required under AS 23.15.445; and
(2) standards governing the relations between employment
agencies if two or more agencies send an applicant to the same employer.

* Sec. 5. AS 23.15.460 and 23.15.470 are repealed.