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DEPARTMENT OF CONSUMER AFFAIRS WORKS TO PROTECT NEW YORK CITY'S JOB-SEEKERS FROM BEING TAKEN ADVANTAGE OF BY EMPLOYMENT AGENCIES

When you are looking for a job it can be helpful to work with an employment agency, but it is important to understand your rights and the agency's responsibilities under the law. Unfortunately, there have been numerous instances when unscrupulous and unlicensed agencies have taken advantage of unsuspecting consumers.

"Many of the bad actors in this industry prey on the most vulnerable — New Yorkers with low incomes, immigrants and young people," DCA Commissioner Julie Menin said. "A job search is already a stressful process, so we want New Yorkers to know that if they decide to use an employment agency, the Department of Consumer Affairs is working everyday to keep employment agencies operating within the law."

- **Use a licensed employment agency.** Any business in New York City that charges a fee to find people jobs must be licensed by the Department of Consumer Affairs as an employment agency. Check if an employment agency is licensed at nyc.gov/consumers or by calling 311. Employment agencies can not charge you for other services like training classes or certifications as a condition for employment. Security training schools must also be registered with the New York State Division of Criminal Justice Services and bartending schools are monitored by the New York State Bureau of Proprietary School Supervision.
- **Avoid employment agencies that "guarantee" jobs.** By law, employment agencies cannot guarantee they will find you a job. Agencies can only refer you to jobs that are available and that pay at least the minimum wage as set by New York State and federal law.
- **Understand how employment agency fees work.** Employment agencies cannot charge upfront fees for most types of work; they can only charge a fee for placing a person in a job. Fees cannot exceed the maximum amount set by law and agencies cannot charge an application or interview fee. Advanced fees can only be charged for domestic, household, manual labor, agricultural, skilled industrial and mechanic workers and the fee must go toward the final fee. If you do pay an advanced fee, the agency must give you a refund if you choose to stop working with them before they find you a job.
- **Demand an accurate, written contract.** Agencies must give you a contract and show you the whole thing before you sign. Your contract should have the name, address and license number of the agency, the type of work, the price, and the fee payment schedule. Make sure that what you are agreeing to in writing is what you accepted verbally. Before signing, get the agency to answer all of your questions in writing. They must give a copy of the contract and a receipt for each payment. Keep all copies in a safe place.
- **Do not answer illegal questions.** Agencies are forbidden by law to ask about your nationality, immigration status, age, children or marital status.
- **File a complaint.** If you have a problem with an employment agency, file a complaint in any language with the Department of Consumer Affairs online at nyc.gov/consumers or by calling 311.

For more consumer tips, visit nyc.gov/consumers and join the conversation on Twitter by following [@ONYCDCA](https://twitter.com/ONYCDCA) and [#ConsumerMatters](https://twitter.com/ConsumerMatters).