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**LABOR RIGHTS WEEK: DEPARTMENT OF CONSUMER AFFAIRS ANNOUNCES
INITIAL RESULTS OF ITS MULTIPRONGED APPROACH TO COMBAT
PREDATORY EMPLOYMENT AGENCIES**

Consumer Affairs Releases Multilingual Job Hunter's Bill of Rights

Department of Consumer Affairs (DCA) Commissioner Julie Menin today announced the results of its multipronged and aggressive approach into predatory employment agencies as part of Mayor de Blasio's commitment to reduce inequality in New York City. In the first year of the new approach, DCA initiated more than 225 investigations into licensed and unlicensed employment agencies, issued more than 400 violations, and secured more than \$77,000 in restitution for 269 consumers who were charged illegal and predatory fees. The announcement coincides with Labor Rights Week, during which DCA has also released its new multilingual [*Job Hunter's Bill of Rights*](#), enabling New Yorkers looking for a job at an employment agency know their rights.

"Many of the bad actors in the employment agency industry prey on the most vulnerable — New Yorkers with low incomes and immigrants," said **DCA Commissioner Julie Menin**. "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 stop employment agencies from taking advantage of them. In response to the Mayor's call to reduce inequality in New York City, we implemented a new aggressive approach, which employs every tool we have and we are continuously exploring new ways to remain vigilant in protecting New York job seekers."

"DCA's *Job Hunter's Bill of Rights* is an important educational tool that all job seekers should read before walking into an employment agency" said **Jessica Garcia, Interim Executive Director of New Immigrant Community Empowerment (NICE)**. "Job seekers have historically suffered from abusive practices at the hands of bad acting employment agencies, losing hundreds of dollars in their job search as agencies place workers in hyper exploitative jobs, send workers on a wild-goose chase to jobs that don't exist, or further fleece workers with fake trainings. NICE commends DCA for the release of this 'know your rights' handout and look forward to our continued collaboration to make sure low-wage and immigrant job seekers are protected from unscrupulous and unlicensed agencies in our communities."

"At a time when many New Yorkers struggle with unemployment and making ends meet, it's particularly reprehensible to see employment agencies trying to make a profit by taking advantage of people who are out of work. My office has worked to combat fraudulent, deceptive, and illegal conduct, especially when it's at the expense of job seekers. I applaud DCA

Commissioner Menin for joining the fight against this odious trend in the job market,” stated **New York State Attorney General Eric Schneiderman**.

“Employment agency fraud has been far too common in New York City, hurting the city’s most vulnerable populations, particularly those living on low incomes, those who are unemployed, and immigrants with limited English proficiency. DCA’s newly-published *Job Hunter’s Bill of Rights* is essential reading for all those who want to use an employment agency to help with their job search. As Chair of the City Council’s Consumer Affairs Committee, I am committed to working with DCA to ensure that all New Yorkers know their rights and are protected from deceptive practices. The Department of Consumer Affairs, under the leadership of Commissioner Julie Menin, has shown that progress can be made when we hold bad actors accountable and empower the job seeker with the right information,” stated **Council Member Rafael L. Espinal Jr., Chair of the New York City Council Consumer Affairs Committee**.

“Unscrupulous employment agencies offering empty job promises for a price take advantage of our unemployed citizens and immigrants. I applaud DCA Commissioner Julie Menin for investigating these con artists and for designing the *Job Hunter’s Bill of Rights* to educate the public on this issue. I look forward to cracking down on agencies that prey on our most vulnerable citizens by passing the Justice for Job Seekers bill, legislation that would strengthen employment agency regulations and stiffen penalties for those who continue to fleece our unemployed,” said **State Senator Jeff Klein**.

“Together with advocates, we have been fighting for years for better protections for our most vulnerable job seekers,” said **State Assembly Member Francisco Moya**, the lead sponsor of the Justice for Job Seekers bill in the New York State Assembly. “Any good legislation must be accompanied by aggressive enforcement on the ground. DCA Commissioner Julie Menin has been a stellar partner in our effort to crack down on predatory employment agencies and I commend her for taking a proactive approach to this critical problem. For too long, predatory employment agencies have felt as though they have free rein to exploit immigrants and low-wage workers. By both supplying job seekers with a Job Hunter’s Bill of Rights and fining predatory employment agencies, DCA has ensured that fewer New Yorkers will fall prey to employment scams. I look forward to continuing our work with DCA to ensure that the Justice for Job Seekers bill is passed in 2016.”

“These predatory employment agencies take advantage of immigrants and our working-class families, transforming their dreams of seeking better lives into nightmares. We, as elected officials, have an obligation to put an end to these practices and protect the most vulnerable,” said **State Senator Jose Peralta**. “I want to thank Commissioner Menin and her team for these efforts and securing restitution for at least 269 victims of these employment agencies that give a bad reputation to decent legitimate ones. I recommend to job seekers that they read DCA’s *Job Hunter’s Bill of Rights* before using the services of any employment agency,” he added.

“I want to thank DCA Commissioner Menin and the de Blasio administration for looking into this issue. Passage of the Justice for Job Seekers bill will only further help us go after these bad actors. New Yorkers deserve protections against those who attempt to exploit us,” said **Senator Diane Savino**.

“The astonishing success of DCA’s crackdown on predatory employment agencies sends a crystal clear message: no longer will the City of New York tolerate the exploitation of its most vulnerable job seekers. Mayor de Blasio and Commissioner Menin, as well as our partners in the state legislature, Senator Jeff Klein and Assembly Member Francisco Moya, should be applauded for defending the right of all New Yorkers to be free from fraud in their pursuit of the American dream,” said **Council Member Ritchie Torres**.

DCA’s Multipronged Approach

Employment agencies that secure jobs within New York City must be licensed by DCA, with only a few exceptions. DCA first announced its new comprehensive approach to investigating the industry last summer in an effort to combat unlicensed and predatory activity, which includes charging illegal fees, referring applicants to jobs that do not exist or do not pay the minimum wage, discriminating against applicants based on ethnicity, and not properly maintaining the records required by law. This new approach includes aggressive investigation of agencies with a history of complaints, compliance review of any agency that had previously entered into a settlement agreement and compliance review at the time of license renewal, settlement agreements with new and rigorous requirements, and field inspections, in addition to expanded industry and consumer education, mediation of complaints, and increased collaboration with advocates and other regulators.

Unlicensed Employment Agencies: Complaint-Based Investigations

A common problem in the industry is that unlicensed, fly-by-night agencies often sign short-term leases, use a fake corporate name, and place ads in local newspapers and online to lure consumers. Advertisements make claims such as “CLEANERS NEEDED – We have IMMEDIATE JOBS for Commercial Cleaners!” and “CLEANERS – NOW STAFFING – F/T & P/T, no exp needed. Up to \$28.00 per hour.” When job seekers show up, the agencies charge them illegal fees that range from \$60 to as much as \$1,400 for the application process, background checks, or “required” trainings. These illegal agencies often don’t deliver services and then refuse to refund consumers or disappear and move to another location with a new name.

In the past year, DCA received 632 complaints about employment agencies, many of which were operating without a license. DCA launched investigations into 28 of these unlicensed employment agencies and, to date, has issued 62 violations to 16 of them for unlicensed activity and deceptive trade practices. As a result, these agencies have been ordered to or agreed to pay nearly \$72,000 in restitution to more than 225 consumers and \$633,600 in fines. Several agencies that have entered into settlement agreements are also required to establish a consumer restitution fund for any additional consumers who come forward with complaints. One fund has already been established for consumers who were charged illegal fees by Wide Visions Consulting, Inc. (260 Madison Avenue, Suite 204, New York, NY 10016). Consumers who believe they are entitled to a refund or restitution from Wide Visions should file a complaint with DCA.

Licensed Employment Agencies: Compliance Review Investigations

With the launch of the new approach, DCA issued more than 100 subpoenas to licensed employment agencies, and found more than half of these agencies were not complying with the

law. They failed to provide documents to applicants containing important disclosures, denied refunds, engaged in discriminatory practices, and failed to maintain proper records required by law. DCA issued 342 violations to 60 agencies and the agencies were ordered to or agreed to pay approximately \$60,000 in fines. Fifty-six of the agencies entered into settlement agreements that require them to correct their practices, comply with all applicable laws, attend future DCA trainings for employment agencies, pay fines and restitution to consumers, and produce additional records to demonstrate compliance. As part of its ongoing efforts, DCA issued subpoenas to an additional 93 licensed employment agencies in May 2015 to review their compliance with the law.

As part of the license renewal process, employment agencies are now required to certify that they are in compliance with the law. Based on these documents, DCA launched investigations into 14 additional employment agencies and ultimately denied three renewals and a fourth business surrendered its license. Like all of DCA's work, this review process is ongoing.

Education and Advocacy

DCA has also worked with New Immigrant Community Empowerment ("NICE"), based in Jackson Heights, Queens, to create a new multilingual, plain language [*Job Hunter's Bill of Rights*](#). The *Bill of Rights*, which is being translated to Arabic, Bengali, Haitian Creole, Korean, Russian, Spanish, Simplified Chinese, and Traditional Chinese, outlines what employment agencies can and cannot do when dealing with job seekers. All agencies that enter into settlement agreements are now required to post the *Bill of Rights* and DCA will be working with community groups like to distribute the document to job seekers.

Another goal of DCA's increased collaboration with advocates is to improve compliance within the employment agency industry through education and outreach. To educate employment agencies of the laws and rules relevant to their industry, DCA now conducts multilingual trainings and to date, has conducted four trainings, in English, Spanish, Korean and Mandarin. This year, DCA has added many more [model documents](#) and now offers an employment agency register and refund log, contracts and receipts for applicants, Domestic or Household Employees: Statement of Job Conditions and Statement of Employee Rights for applicants and employers, as well as a [checklist](#) of what inspectors look for, in Spanish, Arabic, Bengali, Haitian-Creole, Korean, Russian, Mandarin and Cantonese, available on its website.

For the first time, DCA has reached out to more than a dozen companies that lease temporary commercial space throughout New York City to educate them about the predatory practices perpetrated by bad players in the industry and encourage them to verify if an employment agency is licensed before they lease to the company.

DCA currently licenses 337 employment agencies and encourages anyone who has a problem with one, licensed or not, to file a complaint with DCA. The City does not ask about immigration status. To check if an employment agency is licensed, to download the [*Job Hunter's Bill of Rights*](#) or tips on [working with an employment agency \(en español\)](#), or to file a complaint about an employment agency, visit nyc.gov/consumers or call 311.

The Department of Consumer Affairs (DCA) licenses, inspects, and educates businesses, assists and informs consumers, mediates complaints, and offers free financial counseling and safe banking products. DCA enforces the Consumer Protection Law, the Paid Sick Leave Law and other related business laws throughout New York City and licenses nearly 80,000 businesses in 55 different industries. For more information, call 311 or visit DCA online at nyc.gov/consumers or on its social media sites, [Twitter](#), [Facebook](#), [Instagram](#) and [YouTube](#).

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