



Charlie Crist
Governor
Monesia T. Brown
Director

MEMORANDUM

DATE: July 31, 2007
TO: Regional Workforce Board Executive Directors
FROM: J. Wyatt Pope, Director of Workforce Program Support
SUBJECT: Job Orders from Private Employment Agencies

It has recently come to the attention of the Agency for Workforce Innovation (AWI) that job orders are being accepted by one-stop centers and input into the Employ Florida Marketplace (EFM) from private employment agencies that are charging a fee to the job seeker. Please share this information with all one-stop centers and staff in your region.

According to the Wagner-Peyser Act of 1933, as amended by the Workforce Innovation Act of 1998, the employment service is not to accept any job order from a company that charges a fee to obtain the job. Specifically, Section 13 (a) states, "The Secretary is authorized to establish performance standards for activities under this Act which shall take into account the differences in priorities reflected in State plans.

(b)(1) Nothing in this Act shall be construed to prohibit the referral of any applicant to private agencies as long as the applicant is not charged a fee."

In order to comply with the law, it is necessary for a one-stop staff person who inputs or reviews a private employment agency job order to assure that no fee is being charged to the job seeker. Employers generally contract with private employment agencies for temporary services; therefore, private employment agencies that charge the employer a fee and list a job in EFM are acceptable. The employer also has the option to list job orders in EFM without a fee. Each private employment agency job order needs to have this statement included in the job order description, "Position offered by no-fee agency."

If you have any questions regarding the information in this memorandum, please contact Joan Losiewicz at (850) 245-7422 or via e-mail at Joan.Losiewicz@awi.state.fl.us.

JWP/ojl

cc: Barbara Griffin
Richard Meik

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