Chapter 308-33 WAC

EMPLOYMENT AGENCIES—FEE SCHEDULES

WAC 308-33-011 Are the fees charged by employment agencies regulated? Although fees are not regulated, employment agencies cannot require by contract or otherwise that an applicant pay in any one month period an amount which exceeds their gross earnings for that period.

WAC 308-33-030 What are the guidelines for establishing fees in employment agency contracts?

WAC 308-33-060 Does an employment agency have to notify the applicant of their fee in writing once a job has been accepted?

WAC 308-33-071 Signing of contracts—Applicant's rights.

WAC 308-33-090 General manager examination.

WAC 308-33-105 Employment agency fees.

WAC 308-33-100 Employment agency—Fees. [Statutory Authority: RCW 19.31.070. WSR 87-21-088 (Order PM 658), § 308-33-010, filed 10/21/87; WSR 81-02-031 (Order PL 359), filed 1/5/81; Statutory Authority: RCW 19.31.070.]

WAC 308-33-080 Contract term guidelines. [Statutory Authority: RCW 19.31.070. WSR 87-21-088 (Order PM 658), § 308-33-020, filed 10/21/87; WSR 81-02-031 (Order PL 359), § 308-33-020, filed 1/5/81; Order PL-142, § 308-33-020, filed 1/24/73; Order 337001, § 308-33-020, filed 10/21/87. Statutory Authority: RCW 19.31.070.]

WAC 308-33-070 Signing of contracts; employer paid fee contracts. [Statutory Authority: RCW 19.31.070. WSR 87-21-088 (Order PM 658), § 308-33-010, filed 10/21/87; WSR 81-02-031 (Order PL 359), § 308-33-010, filed 1/5/81; Order PL-142, § 308-33-010, filed 1/24/73; Order 337001, § 308-33-010, filed 1/24/73. Formerly WAC 308-33-010.]

WAC 308-33-090 Request for excess fees. [Order PL-142, § 308-33-090, filed 1/24/73.]


WAC 308-33-011 Are the fees charged by employment agencies regulated? Although fees are not regulated, employment agencies cannot require by contract or otherwise that an applicant pay in any one month period an amount which exceeds their gross earnings for that period.

Employment termination: How much does an applicant owe the employment agency?

- **Employed sixty days or less** - An applicant must pay up to twenty percent of the gross earnings received, or the full placement fee established in the employment agency contract, whichever is less.

- **Employed over sixty days** - An applicant must pay the full placement fee established in the employment agency contract. Within seventy days after reporting to work, an applicant may submit payroll information to the agency to reevaluate the fee due based on the actual gross earnings for the first sixty days of employment.

WAC 308-33-030 What are the guidelines for establishing fees in employment agency contracts? (1) The contract must list the fee charged to an applicant under the following headings:

- (a) Monthly salary;
- (b) Range of agency's fee expressed in dollars; and
- (c) Agency's fee as a percentage of the expected monthly salary.

<table>
<thead>
<tr>
<th>A Monthly Salary</th>
<th>B Range of Agency's Fee Expressed in Dollars</th>
<th>C Agency's Fee as a Percentage of Expected Monthly Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than $300.00</td>
<td>Up to $90.00</td>
<td>30%</td>
</tr>
<tr>
<td>$300.00 to $349.99</td>
<td>$120.00 to $139.99</td>
<td>40%</td>
</tr>
<tr>
<td>$350.00 to $399.99</td>
<td>$175.00 to $199.99</td>
<td>50%</td>
</tr>
</tbody>
</table>

(2) The agency may list the annual salary and agency fee as a percentage of the expected annual salary in addition to column C in the example above.

(3) The contract must contain any additional information concerning fees as required by law.

(4) Agencies cannot indicate, orally or in writing, that their contract and fee schedules are "approved" or in any way "recommended" by the state. However, they can indicate their contracts are "approved for use."

(5) An example of contract terms acceptable to the director are available upon request.
WAC 308-33-060 Does an employment agency have to notify the applicant of their fee in writing once a job has been accepted? If an applicant accepts a job through the efforts of an employment agency, the agency must notify the applicant of their fee in writing. The document must contain the following:

1. Amount of fee expressed in dollars;
2. Expected monthly or annual salary (whichever the fee is based upon);
3. Date applicant began or will begin working; and
4. Date payment is due to the agency.

WAC 308-33-071 Signing of contracts—Applicant's rights. (1) You must have an opportunity to discuss the contract and its terms with an authorized representative of the agency before signing.

(2) You must be given a signed carbon or duplicate copy of the contract immediately after signing.

(3) If you request only jobs in which the employer pays the agency fee, the agency must note that on all contracts prior to your signing the contract.

(4) If you accept a job and the fee is paid by the employer, the agency can request that you sign a contract obligating you to pay the agency fee if the job terminates within sixty days and the employer is reimbursed by the agency. All such contracts must contain the necessary information required by RCW 19.13.040 and must be approved by the director prior to their use.

WAC 308-33-080 Definition of a branch office. A branch office is any location physically separated from the principal place of business of a licensee where the licensee or his employees conduct any activity meeting the criteria of an employment agency as defined in RCW 19.31.020.

WAC 308-33-090 General manager examination. (1) Examinations for general managers are written and consist of multiple choice questions covering the subject matter set forth in RCW 19.31.100.

(2) The minimum passing grade is seventy-five percent.

(3) Examinations are conducted at least once per month at locations specified by the director.

<table>
<thead>
<tr>
<th>Title of Fee</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original application and license</td>
<td>$783.00</td>
</tr>
<tr>
<td>Renewal</td>
<td>648.00</td>
</tr>
<tr>
<td>Transfer of license</td>
<td>150.00</td>
</tr>
<tr>
<td>Duplicate license</td>
<td>15.00</td>
</tr>
<tr>
<td>New/amended contract or fee schedule review</td>
<td>50.00</td>
</tr>
<tr>
<td>General manager exam fee</td>
<td>150.00</td>
</tr>
</tbody>
</table>