



This factsheet has been prepared for general information purposes. It is not a legal document. Please refer to the *Employment Standards Act* and Regulation for purposes of interpretation and application of the law.

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## Employment Agencies

In British Columbia, employment agencies must be licensed under the *Employment Standards Act*. A licensed employment agency may receive payment from employers for recruiting employees.

### No charge for hiring

A person seeking employment is not required to pay for help in looking for a job, getting information about a job, being put in contact with an employer, or being hired for a job.

An employer must not request or receive payment from a person in return for hiring them.

An employment agency must not request or receive payment from any person for:

- Submitting their application for a job to an employer;
- Arranging for them to be hired by an employer, or
- Providing them with information about possible jobs.

An employment agency is not permitted to pay any person for help in finding a job for someone else.

### Licensing

An employment agency must be licensed. An agency must submit an application form to the Director, accompanied by a \$100.00 fee. This may be sent to any Branch office.

Before issuing a license, the Director must be satisfied that the agency will operate in the best interests of employers and persons seeking employment. The Director may refuse to issue a licence to an applicant who has had a previous licence cancelled.

The Director may cancel or suspend a licence if the employment agency:

- makes a false or misleading statement in an application for a licence;
- contravenes the Act or the regulation;
- fails to operate the employment agency in the best interests of employers and persons seeking employment; or
- fails to inform an employer with whom the agency has placed a domestic that the employer must register the domestic with the Employment Standards Branch.

### Charging for other services

An employment agency may provide other services to persons seeking employment, such as resume writing or interview preparation. An employment agency must not require a person seeking employment to use or pay for these other services as a condition of being placed in a job. An employment agency cannot require a person seeking employment to pay for immigration assistance as a condition of being placed in a job.

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### **Recovery of money paid**

A payment received from a person seeking employment is deemed to be wages and can be recovered under the Act.

### **Keeping records**

An employment agency must keep a record of the following:

- each employer who receives a service;
- each person who is directed to an employer for the purpose of being hired;
- each person who is provided with information about employers seeking employees.

This record must be kept in English at the employment agency's principal place of business in British Columbia for a period of two years.

### **Advertising**

An employer, an employment agency or a person seeking employment may pay to advertise a job or their services.

An employment agency may not require a person seeking employment to pay for any form of advertising as a condition of assisting them to find a job.

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