

COMMERCIAL EMPLOYMENT AGENCIES FAQs

LICENSURE REQUIREMENTS

Q: *When is a bond required? What is the bond amount? Where do I obtain a bond?*

A: If your commercial employment agency accepts placement fees from its applicants, a surety bond in the amount of \$5000 must be executed by the commercial employment agency as principal and a surety company authorized to do business in the State as a surety.

There is no bond required for commercial employment agencies that do not accept placement fees from its applicants.

Q: *Do I need to provide a contract agreement?*

A: Yes. If your agency accepts placement fees from its applicants, two copies of the contract agreement between the applicant and your employment agency are required to be submitted for review and approval.

Q: *Do I need to provide a schedule of placement fees?*

A: Yes. All applicants must provide two copies of the schedule of fees for review and approval.

Q: *When do employment agency and principal agent licenses need to be renewed?*

A: All licenses, regardless of issuance date, must be renewed by June 30 of even-numbered years.

AM I REQUIRED TO BE LICENSED AS A COMMERCIAL EMPLOYMENT AGENCY?

Q: *My company will be placing people in temporary positions only. We will receive compensation for our services. Does my company need to be licensed as a commercial employment agency?*

A: Yes. If your company will be receiving compensation for its placement services, licensure is required.

Q: *Are branch offices still required to obtain a license?*

A: No, effective on April 12, 2002, licensure requirements for branch offices has been repealed.

Q: *My company sends its employees out to work sites to work for other companies. Does my company need to be licensed as a commercial employment agency?*

A: If these workers are your company's employees, you appear to be engaging in employee leasing activity and would therefore not need to be licensed as a commercial employment agency.

PRINCIPAL AGENT OF AN EMPLOYMENT AGENCY

Q: *Does my employment agency need a Principal Agent?*

A: Yes. Each commercial employment agency must have a licensed Principal Agent in its employ. The Principal agent is the responsible managing agent who is responsible for managing the agency, and is required to be licensed as such.

Q: *Can my employment agency's Principal Agent be the Principal Agent for another employment agency at the same time?*

A: Yes. A licensed Principal Agent can fulfill this role for more than one commercial employment agency at any given time.

Q: ***Does the Principal Agent need to take and pass a licensing examination?***

A: Yes, an applicant for a Principal Agent license needs to contact the examination vendor, Prometric Hawaii, at (808) 261-8182 to make arrangements to sit for the examination. Upon passing the licensing examination, Prometric will provide the license application to each successful examination candidate.

SUBMITTING THE APPLICATION AND FEES

Q: ***I've completed the application form and am ready to submit it to the Department of Commerce and Consumer Affairs. What are the fees?***

A: The following are fees for licensure as a commercial employment agency, and a principal agent. Please make all checks payable to *Commerce & Consumer Affairs*. Also, be sure that you answer all questions on the application and that you sign it.

Commercial Employment Agency: If you are applying for licensure between July 1 of an even-numbered year and June 30 of an odd-numbered year, the fee is \$315. If you are applying between July 1 of an odd-numbered year and June 30 of an even-numbered year, the fee is \$190.

Principal Agent: If you are applying for licensure between July 1 of an even-numbered year and June 30 of an odd-numbered year, the fee is \$199. If you are applying between July 1 of an odd-numbered year and June 30 of an even-numbered year, the fee is \$112.

If you have any questions on fees, please refer to our website at cca.hawaii.gov/programs/employment/, or contact the Licensing Branch at (808) 586-3000.

Q: *Where do I submit my application form?*

A: Mail all required items to:

Commercial Employment Agencies Program
DCCA, PVL Licensing Branch
P. O. Box 3469
Honolulu, HI 96801

Or deliver to the office location at:

King Kalakaua Building
335 Merchant Street, #301
Honolulu, HI 96813

COMPLAINTS

Q: *I believe I have a legitimate complaint against a licensed commercial employment agency. Who do I call?*

I went to a commercial employment agency and paid money for them to find me a job. But I found my own job, and want to cancel our contract. They don't want to refund my money, and I just found out that they're not licensed. Who do I call to file a complaint?

A: The Regulated Industries Complaints Office (RICO), a statewide agency of the DCCA is the office to contact when you have a complaint against a licensed or unlicensed commercial employment agency.

Click on to RICO's website at cca.hawaii.gov/rico/ to file a complaint online, or call the DCCA Consumer Resource Center at (808) 587-4272. To call the Consumer Resource Center from the neighbor islands, dial 274-3141 from Kauai; 984-2400 from Maui; 974-4000 from the Big Island; and 1-800-468-4644 then 74272# from Molokai or Lanai.