

9-316. COLLECTION OF PLACEMENT FEE LIMITED.

IF, FOR A PAY PERIOD, THE PAY OF AN EMPLOYEE PLACED BY AN EMPLOYMENT AGENCY IS NOT MORE THAN THE MINIMUM WAGE UNDER § 3-413 OF THE LABOR AND EMPLOYMENT ARTICLE, THE EMPLOYMENT AGENCY MAY NOT COLLECT OR ATTEMPT TO COLLECT MORE THAN 20% OF ITS PLACEMENT FEE FROM THE EMPLOYEE'S PAY FOR THE PAY PERIOD.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, § 166(g).

The Business Regulation Article Review Committee notes, for consideration by the General Assembly, that the former law stated that under the conditions stated in this section an employment agency could not collect more than 20% of its placement fee for any pay period. The revision has clarified the apparent intent of the law to limit the employment agency from collecting its entire placement fee for the particular pay period in which the employee is paid less than minimum wage.

Defined term: "Employment agency" § 9-101

9-317. CHANGES IN SCHEDULES AND FORMS.

AT LEAST 30 DAYS BEFORE A CHANGE IS TO BE EFFECTIVE, AN EMPLOYMENT AGENCY SHALL SUBMIT TO THE COMMISSIONER:

(1) AN AMENDED OR SUPPLEMENTAL SCHEDULE OF CHARGES;
OR

(2) A CHANGE IN ANY FORM USED BY THE EMPLOYMENT AGENCY.

REVISOR'S NOTE: This section is new language derived without substantive change from the third and fourth sentences of former Art. 56, § 164.

This section is revised in the active voice to clarify that an employment agency is required to submit changes to the Commissioner.

In item (1) of this section, the former words "commissions" and "fees" are deleted as included in the word "charges".

In item (2) of this section, the former word "contracts" is deleted as included in the word "form".

Defined terms: "Commissioner" § 9-101

"Employment agency" § 9-101