



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.
