

OCCUPATIONAL CODE (EXCERPT)

Act 299 of 1980

339.1003 Personnel agency; license required; determination of Type A or Type B; exemptions.

Sec. 1003. (1) A person shall not open, operate, or maintain a personnel agency in this state without first obtaining the appropriate license from the department. The department shall determine whether an agency is considered a type A personnel agency or a type B personnel agency.

(2) This article does not apply to all of the following:

(a) A regularly established educational institution, religious, labor, charitable, benevolent organization, or department or bureau maintained for the purpose of providing free employment or consulting services for which no fee, compensation, or other valuable consideration is charged or received, directly or indirectly.

(b) A person who maintains an employment or consulting office for the person's own intraorganization purposes exclusively, the Michigan employment security commission, an organization which provides vocational rehabilitation services if the fees are paid by an insurer or self-insurer responsible under applicable state or federal insurance laws for the providing of vocational rehabilitation services to an individual, or a person under a contract with the state of Michigan to provide employment services.

(c) A person employing an individual to render part-time or temporary personal service to, for, or under the direction of a third person if the person employing the individual, in addition to a wage or salary, pays federal social security taxes, state and federal unemployment insurance, carries worker's disability compensation insurance as required by the worker's disability compensation act of 1969, Act No. 317 of the Public Acts of 1969, as amended, being sections 418.101 to 418.941 of the Michigan Compiled Laws, and sustains responsibility for the acts of the employee while rendering service to, for, or under the direction of a third person.

(d) The business of procuring, offering, promising, promoting, or attempting to provide an engagement for an athletic event, a circus, concert, vaudeville, theatrical, or other entertainment, or of giving information as to where an engagement may be procured or provided for an actor, artist, athlete, entertainer, or performer in an athletic event, a circus, vaudeville, theatrical, or other entertainment.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 1992, Act 253, Imd. Eff. Nov. 19, 1992.

Popular name: Act 299