

OCCUPATIONAL CODE (EXCERPT)
Act 299 of 1980

339.1005 Personnel agency license; requirements for issuance; nonresident applicant; obtaining license for each office; designating on-site agent; displaying license.

Sec. 1005. (1) The department shall issue a personnel agency license to a person who complies with all of the following requirements:

(a) Provides a surety or cash bond as set forth in section 1006.

(b) Applies for licensure in a name acceptable to the department. A person may not apply for or obtain both types of personnel agency licenses under the same name or a similar name. The department may disapprove a name similar to that of the Michigan employment security commission, a name likely to be confused with a free placement bureau, an existing licensed personnel agency, or a name the department determines to be likely to mislead the public. A person whose proposed personnel agency name is disapproved may appeal the disapproval to the board in the manner provided for in section 515.

(c) Demonstrates that the premises designated in the application for licensure is an acceptable place for the personnel agency to conduct business. A personnel agency shall not share quarters or office space or have a common waiting room with any other personnel agency, with a resume writing service, or with any other person the department determines is a business related to the business of a personnel agency.

(d) Provides a statement of good moral character for each owner, officer, or partner. This requirement shall be applicable to the owner and to any subsequent owners, if the personnel agency is a sole proprietorship; to each officer and any subsequent officers and to each shareholder owning 10% or more of the stock or subsequent shareholders owning 10% or more of the stock, if the personnel agency is a corporation; and to each partner and to any subsequent partners, if the personnel agency is a partnership.

(e) Designates an employment agent or consulting agent licensed or seeking licensure under section 1004. The personnel agency shall not begin to provide its services until the agent is licensed.

(2) In order to be licensed in this state, a nonresident applicant shall obtain a certificate of authority to do business in this state and file a copy of the certificate and an irrevocable consent appointing the department to receive service of process in any noncriminal proceeding against that person for a violation of this article, a rule promulgated under this article, or an order issued under this article after the consent is filed.

(3) A person shall obtain from the department an appropriate license for each office.

(4) A personnel agency shall designate and maintain at all times an on-site employment agent or consulting agent, as is appropriate, who shall be responsible for the general management of the licensed office and for assuring compliance with this article, rules promulgated under this article, and applicable state and federal laws and regulations.

(5) A personnel agency license issued under this article and the license of the employment agent or consulting agent for each office shall be displayed in a conspicuous place within the office of the licensed agency.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 1988, Act 463, Eff. Sept. 1, 1989;—Am. 1992, Act 253, Imd. Eff. Nov. 19, 1992.

Popular name: Act 299