

CONSUMER PROTECTION TIPS FOR IMMIGRANTS:

EMPLOYMENT AGENCIES

BEFORE YOU READ ON...

What is an employment agency?

An employment agency helps employers find employees and jobseekers find work for a fee.

Get free help.

The City offers free help for jobseekers. Visit nyc.gov/workforce1 or call 311 and ask to find a Workforce1 Career Center.

If you work with an employment agency to find a job, here are tips to help you.

GENERAL TIPS

- **Use a licensed employment agency.** Employment agencies must have a Department of Consumer and Worker Protection (DCWP) license.



Visit nyc.gov/dcwp or call 311 to check for a license and complaint history.

IMPORTANT

- Employment agencies cannot charge you for other services like training classes or certifications.
- Are you in security training school? It must be registered with the New York State Division of Criminal Justice Services.
- Are you in bartending school? The New York State Bureau of Proprietary School Supervision oversees bartending schools.

- **Know how employment agency fees work.**

Employment agencies cannot charge a fee before they place you in a job.

Fees cannot be more than the maximum amount set by law.



Visit nyc.gov/dcwp for employment agency Laws and Rules, which have fee information.

You have the right to a full refund if the agency charged you:

- An advance fee, deposit fee, registration fee, application fee, or interview fee. OR
- To refer you to another employment agency or training school. OR
- For any additional items like training courses, photographs, or resume review.

- **Do not use employment agencies that “guarantee” jobs.** Employment agencies cannot guarantee they will find you a job. Agencies can only refer you to jobs that are available and that pay at least the minimum wage.



The minimum wage is set by New York State and federal law. Visit dol.ny.gov for New York State minimum wage.

- **Demand an accurate, written contract.** Agencies must give you the full contract before you sign. Your contract should have:
 - Name, address, and DCWP license number of the agency
 - Type of work
 - Price
 - Fee payment schedule

Make sure that the written agreement matches your spoken agreement.

Before signing, get the agency to answer all of your questions in writing.

The agency must give you a copy of the contract and a receipt for each payment. Keep all copies in a safe place.

- **Do not answer illegal questions.** Unless they are valid qualifications of the job, it is illegal for an employer or an agency to ask questions about:

○ Age	○ Disability
○ Race	○ Marital status
○ Creed	○ Partnership status
○ Religion	○ Caregiver status
○ Color	○ Sexual orientation
○ National origin	○ Alienage or citizenship status
○ Gender	

- **File a complaint with DCWP.** File a complaint with DCWP online at nyc.gov/dcwp or contact 311 to file a complaint in your language. You do not have to give your name or your immigration status to make a complaint. *Note:* If you would like DCWP to contact you, you must provide your name and address.

BEWARE OF...

PREDATORY SCHOOLS

There are hundreds of for-profit schools in NYC. Courses include everything from air conditioning repair and cosmetology to medical technician training. Some schools mislead students. They may:

- Get you to take out a lot of financial aid.
- “Guarantee” you a job after you graduate.
- Lie about the value of your degree, including if your credits will transfer to another school.

Remember:

- Financial aid is usually a loan that you must pay back. It is not a scholarship.
- Research a lot of schools.
- Don’t sign up the day you visit a school.
- Get the school’s tuition cancellation policy in writing.

Call 311 to file a complaint against a school of higher education.

FREE HELP

- Visit nyc.gov/workforce1 or call 311 and ask to find a free Workforce1 Career Center.
- Visit nyc.gov or call 311 and ask about free and low-cost adult education programs.

IMPORTANT

- City agencies that provide direct social services must arrange for interpretation and translation in your first language.
- City agencies cannot ask about immigration status unless it is necessary to determine eligibility for a benefit or service.

OTHER RESOURCES

- Read other Consumer Protection Tips for Immigrants:
 - FINANCES
 - IMMIGRATION ASSISTANCE SERVICES
 - TAX PREPARATION
- Visit nyc.gov/dcwp for more information, including:
 - [Job Hunter's Bill of Rights](#)
 - [Statement of Employee Rights and Employer Responsibilities](#) (domestic or household employees)
 - [NYC Paid Safe and Sick Leave Law](#)
 - [NYC Commuter Benefits Law](#)
- Mayor's Office of Immigrant Affairs (MOIA): Visit nyc.gov/immigrants for information on [Immigrant Workers](#).
- Small Business Services (SBS): Visit nyc.gov/sbs for [Careers](#).
- Human Rights Commission: Visit nyc.gov/humanrights or contact 311 to file a complaint about discrimination. Read [Immigrants & NYC Human Rights at Work and at Home](#).