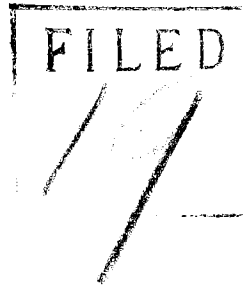


LABOR DEPARTMENT:—Under Section 13190, R. S. Mo. 1929, any person, firm or corporation maintaining an employment office where their services are charged for must obtain license from Labor and Industrial Inspection Department.

8-17
August 15, 1934.



Mrs. Mary Edna Cruzen,
Commissioner of Labor,
Jefferson City, Missouri.

Dear Mrs. Cruzen:

We are acknowledging receipt of your letter in which you inquire as follows:

"Has the Labor and Industrial Inspection Department the right to collect Employment Agency license fee from agencies operating under the following plan:—

"Instead of charging the regular registration fee, they charge 5% of the first year's salary as the registration fee.

"I would appreciate your opinion on this as soon as possible because there are a number of teachers' agencies and other agencies using this method."

Section 13190, R. S. Mo. 1929, among other things, provides:

"No person, firm or corporation in this state shall open, operate or maintain an employment office or agency for hire, or where a fee is charged to either applicants for employment or for help, without first obtaining a license for the same from the state commissioner of labor and industrial inspection.***"

It is apparent from the foregoing section that no person is entitled to open or maintain an employment office where their services are charged for without first obtaining a license from you. As we construe the Statute, it is immaterial whether the compensation received by the employment office for the service rendered be a fixed regis-

Mrs. Mary Edna Cruzen,

-2-

August 15, 1934.

tration fee or whether they charge a percentage of the salary of the applicant. In either event they are charging a fee for obtaining employment for the applicant and come within the express terms of the Statute.

Very truly yours,

FRANK W. HAYES,
Assistant Attorney General.

APPROVED:

ROY McKITTRICK,
Attorney General.

FWH:MS