LICENSING AND REGULATION OF EMIGRANT AGENTS

Act 234 of 1966

AN ACT to provide for the licensing and regulation of emigrant agents; to prescribe the functions of the director of labor; and to provide penalties for violation of this act.

History: 1966, Act 234, Imd. Eff. July 11, 1966

The People of the State of Michigan enact:

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286.651 Emigrant agents; definition.

Sec. 1.

As used in this act:

(a) "Person" means an individual, partnership, association, corporation, legal representative, trustee, trustee in bankruptcy or receiver.

(b) "Emigrant agent" means a person engaged in recruiting, hiring, soliciting or enticing laborers by any means whatsoever in this state to be employed beyond the limits of this state in farm labor.

(c) "Employer" means a person employing or seeking to employ an employee for farm labor.

(d) "Farm labor" means cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural or horticultural commodity, the raising of livestock, bees, furbearing animals or poultry, any practices performed on the farm as an incident to or in conjunction with such farming operations, including preparation for market, delivery to storage or to market or to carriers for transportation to market or any forestry or lumbering operations, and first processing of any agricultural or horticultural commodity during seasonal operations.

(e) "Director" means the director of labor or any person authorized to act in his behalf.

History: 1966, Act 234, Imd. Eff. July 11, 1966

286.652 Exemption from act of certain employment agencies.

Sec. 2.

This act does not apply to an employment agency established and operated by this state, the United States or a municipality of this state or a person who operates a labor bureau or employment office in conjunction with his own business for the sole and exclusive purpose of employing help for his own use within this state, or to agricultural producers acting jointly or severally in securing farm laborers for their own use in this state.

History: 1966, Act 234, Imd. Eff. July 11, 1966

286.653 License; necessity; application; form; fee; bond; cancellation, hearing, grounds.

Sec. 3.

No person other than those exempt shall engage in the business of emigrant agent without first having obtained a license therefor from the director. Application for a license may be made in person or by mail on an approved form and shall be accompanied by the annual fee of $75.00 and a valid noncancelable surety bond in the amount of $2,000.00 in favor of the director and conditioned for the faithful observance of all laws and regulations covering the licensee's actions as an emigrant agent. The license shall cover the calendar year for which it is issued. The license is subject to cancellation by the director, after a hearing, when he finds that the agent used fraud or deception in obtaining the license or in soliciting farm laborers, or is convicted of a felony or an offense involving moral turpitude or has violated any provision of this act.

History: 1966, Act 234, Imd. Eff. July 11, 1966

286.654 Weekly report; filing; failure to file; contents.

Sec. 4.

A licensed emigrant agent shall make weekly reports to the director covering each week in which he conducts any activity in this state covered by the license. The report shall be mailed to the director not later than Monday following the week covered by the report. Failure to file such report promptly is sufficient cause for suspension or revocation of the license. The report shall include:

(a) The name, age, sex and address of each person solicited to be employed beyond the limits of this state.

(b) The name and address of the employer of each such person.

(c) The kind of work each such person is to be employed in.

(d) The place where each such person is to be employed.

(e) The term of employment of each such person.

(f) The wages to be paid and perquisites offered to each such person for his work.

(g) Whether or not transportation is to be furnished, arranged for or paid any such agricultural worker either upon leaving or returning to this state.

History: 1966, Act 234, Imd. Eff. July 11, 1966

286.655 Agent to carry license; inspection.

Sec. 5.

An emigrant agent shall carry the original license or a certified copy thereof on his person at all times he is soliciting, enticing or otherwise recruiting agricultural labor for employment beyond the limits of this state and shall produce the license or copy upon request of a police officer or the director.

History: 1966, Act 234, Imd. Eff. July 11, 1966

286.656 Violation of act; penalty.

Sec. 6.

Any person who acts as an emigrant agent without having secured a license is guilty of a misdemeanor.

History: 1966, Act 234, Imd. Eff. July 11, 1966

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286.657 Effective date.

Sec. 7.

This act shall become effective July 1, 1966.

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