



MARYLAND WORKFORCE EXCHANGE EMPLOYER GUIDELINES

Employers' Right to Use

You are granted a limited, terminable, non-exclusive right to access and use this site only for your internal business use seeking candidates for employment. This authorizes you to view and download a single copy of the material on this site solely for your use directly related to searching for and recruiting job prospects. The Responsible Agencies reserve the right to suspend or terminate your access and use at any time if they determine that you are in breach of any of these Terms.

Employers are not permitted to post the following:

Orders Involving a Fee for Placement

A fee for placement is a charge that consists of direct placement in exchange for the job referral or placement.

Orders Where an Employer-Employee Relationship Does Not Exist

An employer is defined by the federal Wagner-Peyser regulations, in part, "as a person, firm, corporation or other organization that has a location within the United States to employ workers, and that hires, pays, fires, supervises and otherwise controls the work of its employees." An employer-employee relationship does not exist if the worker is an independent contractor (receives a 1099 tax form), and/or the employer does not pay FUTA taxes or provide Worker's Compensation on behalf of the employee. Maryland law also requires an employer to meet state Wage and Hour regulations, including but not limited to minimum wage, and register with the State Comptroller for payment of state taxes.

Orders That Are Not Bona Fide

A bona fide job order means that a current and valid job opening exists prior to any referrals being made, and that the workforce center has reason to be confident that the employer is a legitimate employer.

Orders That Are Discriminatory

The Civil Rights Act of 1964 prohibits discrimination in hiring, promotion, discharge, pay, fringe benefits, and other aspects of employment, on the basis of race, color, religion, sex, or national origin. The Age Discrimination Act of 1973 prohibits employers meeting certain standards from discriminating against qualified disabled applicants. The Civil Rights Act and the Wagner-Peyser Act require that the labor exchange system ensures that discriminatory job orders are not accepted.

Orders That Are in Violation of Law

Job orders that contain job duties or terms or conditions of employment that are contrary to law are not accepted. Examples of such job orders would be those specifying pay below minimum wage, requiring the worker to perform illegal activities, or specifying hours for a youth worker in violation of child labor laws.

Orders Impacted by Labor Disputes

A labor dispute is any controversy concerning the terms or conditions of employment, or any controversy concerning the association or representation of individuals in negotiating, maintaining, changing, or seeking to arrange the terms or conditions of employment.

Order Specifying Membership or Non-membership in a Labor Organization

Order specifying membership or non-membership in a labor organization as a condition of being hired may be in violation of law if the employer is subject to the Labor-Management Relations Act of 1947.

Employers/Job Postings that do violate the agreement above will be denied access to the Maryland Workforce Exchange. Job Postings found in violation will be closed.

If you have questions regarding any of these, please contact your local Workforce Center.

