

DEFINITION OF PRIVATE EMPLOYMENT AGENCY

- ❖ **A Private Employment Agency means a body corporate which acts as an intermediary for the purpose of procuring employment for a worker or recruiting a worker for employment.**
- ❖ This means providing one or combination the following::
 - (a) services for matching offers of and applications for employment, without the private employment agency becoming a party to the employment relationships which may arise therefrom;
 - (b) services consisting of employing workers with a view to making them available to a third party, who may be a natural or legal person (referred to below as a "user enterprise") which assigns their tasks and supervises the execution of these tasks;
 - (c) other services relating to job seeking, determined by the competent authority after consulting the most representative employers and workers organizations, such as the provision of information, that do not set out to match specific offers of and applications for employment.

LICENSING PROCESS

A person shall not establish or operate a Private Employment Agency unless that person is a corporate body duly registered with the Registrar Generals Department, has applied to, and has been granted a license by the Minister. The agency must have employment intermediation, manning or employment services as its objectives or nature of business.

Application to the chief labour officer should include the following:

- Application Letter to the Chief Labour Officer
- Photocopy of forms three and A from the Registrar Generals Department
- Photocopy of Certificate of Incorporation
- Photocopy of Certificate to Commence Business

- Photocopy of Directors Curriculum Vitae
- Photocopy of Curriculum Vitae of Human Resource Officer

- Upon receipt of the application and its attachments, the Chief Labour Officer shall commission an inspection of the premises, facilities and staff of the applicant within one month.
- A request is then made to the CID Unit of the Ghana Police Service for a background check of the Company, Directors and the Human Resource Officer.
- Pursuant to the time of receipt of the Police Report the Chief Labour Officer on behalf of the Minister shall proceed to issue the license to the applicant upon the following payments :

OPERATIONAL COVERAGE	SECURITY DEPOSIT(GH¢)	LICENSE FEE (GH¢)
LOCAL	-	1000
LOCAL/FOREIGN	25,000	1000

- **NB:**
- **INITIAL LICENSE**
 - **Twelve (12) months**
- **RENEWAL**
 - Two months to expiration the Private Employment Agency applies for renewal. **License may be renewed for twenty four (24) months.**
- In both cases, the company shall submit quarterly reports to the Chief Labour Officer within fourteen days of the preceding quarter. The report is based on a format determined by the Labour Department.
- Failure/late submission of reports may result in the withdrawal of license.

FOREIGN EMPLOYMENT PROCESS.

The PEA must submit the following to the Chief Labour Officer for scrutiny:

- a) Contract between itself and a Principal (Foreign Company or Employment Agency)
- b) Power of Attorney

FOREIGN RECRUITMENT PROCESS

Private Employment Agency provides the Chief Labour Officer with the following contract documents from its partner:

- Power of Attorney
- Particulars of Employer or Agent Abroad
- Information on Employment Offer
- Contract signed between Agency in Ghana and Principal Employer or Agent Abroad
- Contract Agreement between the Agency and Employees/migrant workers

Upon receipt of these documents, the Chief Labour Officer shall:

- Ascertain from the country of origin of the Employer or Agent of the Employer recruiting the worker(s), the corporate background and genuineness of the employment offer through the MELR
 - Scrutinize the Contract Agreements
 - Call for the workers engaged under the foreign contract to ascertain whether the workers have freely consented to the assignment of the contract
- c) The Agency identifies workers and applies for Exit Permits to the Ag. Chief Labour Officer with the following attachments:
1. Individual Contract Documents
 2. Photocopy of Medical Reports
 3. Photocopy of Passport
 4. Photocopy of Visa
 5. Photocopy of Police Clearance

The Private Employment Agency is then required to

1. Submit workers to the Chief Labour Officer for orientation to:
Ensure that the employer does not engage a worker(s) under foreign contract without proper documentation
Ensure that a person under the age of twenty-two years does not enter into foreign contract

The Labour Department would then grant Exit Permit when satisfied upon payment of a capitation fee of GH¢300.00 per head.