

5200.0620 FEE DETERMINATION.

The following terms and methods shall be used in determining amount of fee due:

A. "One month's wages" or "salaries" or "earnings," when used to determine an agency's fees, means 4-1/3 weeks gross income minus overtime income, tips or gratuities, traveling expense, and other expense actually incurred in producing income.

B. A fee based on an annual salary is to be calculated upon the first month's (4-1/3 weeks) salary times 12. A fee based on a monthly salary is to be calculated only on the first month's salary.

C. For positions where income is based totally or partially on commissions or bonuses, the agent may assess a fee based on a reasonable estimate of the applicant's expected first year's earnings. If employment is terminated for any reason prior to the end of the first year, the fee shall be recomputed at the rate applicable to the actual gross earnings as listed on the agent's fee schedule.

D. A fee shall be based on salary received for only the first 40 hours per week of employment. Executive, administrative, and professional positions as defined by rules issued pursuant to the Minnesota Fair Labor Standards Act, Minnesota Statutes, chapter 177, parts 5200.0180 to 5200.0210 are excluded from this provision.

E. A fee based on a concurrent fee arrangement shall be uniform for all applicants serviced.

Statutory Authority: *MS s 184.24*

History: *13 SR 2868*

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