

96.36 Franchisor-franchisee relationship.

1. For purposes of [this section](#), “*franchisee*” and “*franchisor*” mean the same as defined in [section 523H.1](#).

2. For purposes of [this chapter](#), a franchisor shall not be considered to be an employer of a franchisee or of an employee of a franchisee unless any of the following conditions apply:

a. The franchisor has agreed in writing to be considered to be the employer of the franchisee or of the employees of the franchisee.

b. The franchisor has been found by the department to have exercised a type or degree of control over the franchisee or the franchisee’s employees that is not customarily exercised by a franchisor for the purpose of protecting the franchisor’s trademarks and brand.

[2019 Acts, ch 21, §4, 6](#)