

**CHAPTER 41
APPLICATIONS**

Authority

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Source and Effective Date

R.1995 d.242, effective April 13, 1995.
See: 27 N.J.R. 647(a), 27 N.J.R. 2011(a).

Executive Order No. 66(1978) Expiration Date

Chapter 41, Applications, expires on April 13, 2000.

Chapter Historical Note

Chapter 41, Applications (Subchapters 1 through 10), was adopted as R.1977 d.475, effective December 15, 1977. See: 9 N.J.R. 545(b), 10 N.J.R. 4(d). Subchapter 11, Applications by Casino Licensees for Approval of Agreements, was adopted as R.1978 d.177, effective May 25, 1978. See: 10 N.J.R. 212(b), 10 N.J.R. 306(c). Subchapter 12, Labor Organization Registration, was adopted as R.1978 d.176, effective May 25, 1978. See: 10 N.J.R. 211(b), 10 N.J.R. 306(b). Subchapter 13, Casino License Conservatorship, was adopted as R.1979 d.207, effective May 24, 1979. See: 11 N.J.R. 213(b), 11 N.J.R. 360(b).

Pursuant to Executive Order No. 66(1978), Chapter 41 (except Subchapter 5), was readopted as R.1983 d.181, effective May 17, 1983. Subchapter 5, Equal Employment Opportunity; Affirmative Action Programs, was repealed by R.1983 d.181, effective June 6, 1983. See: 15 N.J.R. 532(b), 15 N.J.R. 931(b).

Pursuant to Executive Order No. 66(1978), Chapter 41 was readopted as R.1988 d.255, effective May 12, 1988. See: 20 N.J.R. 763(a), 20 N.J.R. 1209(a). Subchapter 10, Professional Practice, was repealed by R.1989 d.495, effective September 18, 1989. See: 21 N.J.R. 1975(b), 21 N.J.R. 3022(b). Subchapter 2, Casino Hotel Facilities, and Subchapter 13, Casino License Conservatorship, were recodified as N.J.A.C. 19:43-6 and 19:43-13, respectively, by R.1992 d.500, effective December 21, 1992. See: 24 N.J.R. 3225(a), 24 N.J.R. 4563(a). Subchapter 14, Applications for the Renewal of Employee Licenses, was adopted as R.1993 d.34, effective January 19, 1993 (operative July 1, 1993). See: 24 N.J.R. 2133(a), 25 N.J.R. 345(b).

Pursuant to Executive Order No. 66(1978), Chapter 41 was readopted as R.1993 d.205 effective April 15, 1993. See: 25 N.J.R. 916(b), 25 N.J.R. 1999(a). Subchapter 5, Forms, was adopted as R.1993 d.429, effective September 7, 1993. See: 25 N.J.R. 2655(a), 25 N.J.R. 4120(a).

Pursuant to Executive Order No. 66(1978), Chapter 41 was readopted as R.1995 d.242. See: Source and Effective Date.

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SUBCHAPTER 1. LICENSE AND REGISTRATION REQUIREMENTS**19:41-1.1 Persons required to obtain a casino key employee license**

(a) Any natural person who will be employed by a casino licensee in a position that includes any responsibility or authority listed below, regardless of job title, shall be required to hold, prior to such employment, a current and valid casino key employee license issued in accordance with N.J.S.A. 5:12-89:

1. The supervision of specific areas of casino or simulcasting operations. Such positions shall include, without limitation, persons who:
 - i. Function as a casino shift manager in accordance with N.J.A.C. 19:45-1.12(b)8;
 - ii. Function as a pit boss in accordance with N.J.A.C. 19:45-1.12(b)6;
 - iii. Function as a poker shift supervisor in accordance with N.J.A.C. 19:45-1.12(b)7;
 - iv. Function as a slot shift manager in accordance with N.J.A.C. 19:45-1.12(h)4;
 - v. Supervise the repair and maintenance of slot machines and bill changers;
 - vi. Supervise surveillance investigations or the operation of the surveillance department during a shift;
 - vii. Supervise security investigations or the operation of the security department during a shift;
 - viii. Function as a cage manager in accordance with N.J.A.C. 19:45-1.11(b)8 or 9;
 - ix. Supervise the operation of the cashiers' cage, table games cage or slot machine cage during a shift. Persons who supervise the operation of a cashiers' cage, table games cage or slot machine cage, in a position directly subordinate to the cage shift manager, shall be required to obtain a key license where the organization of the cage operations, the size of the casino operation, the nature and volume of the transactions performed by the cage and the number and locations of cage operations indicate that such person exercises a comparable level of responsibility and authority;
 - x. Supervise the hard count or soft count room;

- xi. Supervise the patron check collection unit;
 - xii. Function as a simulcast counter shift supervisor in accordance with N.J.A.C. 19:45-1.12(i)2; or
 - xiii. Function as a keno manager or keno supervisor;
2. The authority to develop or administer policy or long-range plans or to make discretionary decisions regulating casino or simulcast facility operations. Such positions shall include, without limitation, persons who:
- i. Function as an officer or comparable non-corporate employee of the casino licensee;
 - ii. Function as a casino manager in accordance with N.J.A.C. 19:45-1.11(b)4 and 1.12(b)9;
 - iii. Function as a slot department manager in accordance with N.J.A.C. 19:45-1.11(b)5 and 1.12(h)5;
 - iv. Function as a director of surveillance in accordance with N.J.A.C. 19:45-1.11(b)1;
 - v. Function as a director of security in accordance with N.J.A.C. 19:45-1.11(b)7;
 - vi. Function as a controller in accordance with N.J.A.C. 19:45-1.11(b)8;
 - vii. Function as a credit manager in accordance with N.J.A.C. 19:45-1.11(b)6;
 - viii. Function as an audit department executive in accordance with N.J.A.C. 19:45-1.11(b)2;
 - ix. Function as an MIS department manager in accordance with N.J.A.C. 19:45-1.11(b)3;
 - x. Function as a simulcast counter manager in accordance with N.J.A.C. 19:45-1.12(i)3;
 - xi. Manage a marketing department;
 - xii. Function as an assistant manager of a mandatory casino department;
 - xiii. Function as an equal opportunity officer in accordance with N.J.S.A. 5:12-134 and 135 and N.J.A.C. 19:53-1.4; or
 - xiv. Manage casino administrative operations; or
3. The authority to develop or administer policy or long-range plans or to make discretionary decisions regulating the management of an approved hotel. Such positions shall include, without limitation, persons who:
- i. Manage the operation of the hotel;
 - ii. Manage the entertainment activities of the casino licensee;
 - iii. Manage the food and beverage operations of the casino licensee; and
 - iv. Manage the human resource activities of the casino licensee.

(b) In addition to the persons required to hold a casino key employee license pursuant to (a) above, any natural person who will be employed in a position designated by the Commission, for reasons consistent with the policies of the Act, as a casino key employee in the jobs compendium of a casino licensee shall be required to hold, prior to such employment, a current and valid casino key employee license issued in accordance with N.J.S.A. 5:12-89. Such positions shall include, without limitation, any employee of a casino licensee who:

- 1. Is required to be qualified pursuant to N.J.S.A. 5:12-85c;
- 2. Will provide legal representation for the casino licensee in matters before the Commission or provide legal counsel regarding compliance with the Act or the rules of the Commission;
- 3. Will purchase or contract for goods and services involving an annual expenditure of \$10,000 or more;
- 4. May authorize the issuance of patron credit;
- 5. May authorize the issuance of cash complimentaries in the amount of \$10,000 or more in accordance with N.J.A.C. 19:45-1.9B;
- 6. Will serve as a compliance officer in accordance with N.J.A.C. 19:45-1.11; and
- 7. Will supervise an employee who is required to be licensed as a casino key employee.

New Rule, R.1995 d.467, effective August 21, 1995.
See: 27 N.J.R. 2116(a), 27 N.J.R. 3222(a).
Administrative Correction.
See: 28 N.J.R. 1403(a).

Historical Note

A former N.J.A.C. 19:41-1.1, "Casino licenses" was repealed by R.1992 d.500, effective December 21, 1992. See: 24 N.J.R. 3225(a), 24 N.J.R. 4563(a).

Case Notes

Casino key employee license; rehabilitation. Application of Tufi for a Casino Key Employee License, 95 N.J.A.R.2d (CCC) 18.

19:41-1.2 Persons required to obtain a casino employee license

(a) Any natural person who will be employed in the operation of a licensed casino or a simulcasting facility, or whose employment duties predominantly involve the maintenance or operation of gaming activity or equipment and assets associated therewith, or regularly requires work in a restricted casino area shall be required to hold, prior to such employment, a current and valid casino employee license issued in accordance with N.J.S.A. 5:12-90 unless a casino key employee license is otherwise required by N.J.S.A. 5:12-9 and N.J.A.C. 19:41-1.1. Such positions shall include, without limitations, persons who:

- 1. Function as a dealer in accordance with N.J.A.C. 19:45-1.12(b)2;

2. Function as a boxperson in accordance with N.J.A.C. 19:45-1.12(b)4;

3. Function as a floorperson in accordance with N.J.A.C. 19:45-1.12(b)5;

4. Perform, under the supervision of an audit department executive, the duties and responsibilities of the internal audit department in accordance with N.J.A.C. 19:45-1.11(b)2, including, without limitation, the supervision of personnel in the internal audit department; the monitoring of compliance with regulations and internal controls; and the evaluation of the adequacy of accounting and administrative controls;

5. Perform, under the supervision of a controller, the duties and responsibilities of the casino accounting department in accordance with N.J.A.C. 19:45-1.11(b)8 including, without limitation, the supervision of personnel in the casino accounting department; overseeing the review, verification and recordation of casino revenue journal entries; and the processing or control of active accounting documents related to casino gaming activity;

6. Have access to active accounting documents related to casino gaming activity;

7. Conduct surveillance investigations and operations in accordance with N.J.A.C. 19:45-1.11(b)1;

8. Repair and maintain slot machines and bill changers in accordance with N.J.A.C. 19:45-1.12(h)1;

9. Assist in the operation of slot machines and bill changers, including, without limitation, persons who participate in manual jackpot payouts and fill payout reserve containers, or supervise such persons in accordance with N.J.A.C. 19:45-1.12(h)3;

10. Participate in the operation of simulcast wagering or keno wagering;

11. Identify patrons or groups of patrons to receive complimentary based on actual patron play, authorize such complimentary or determine the amount of such complimentary;

12. Function as a junket representative as defined in N.J.S.A. 5:12-29.2 and N.J.A.C. 19:49-2.1;

13. Analyze casino operations data and make recommendations to casino key employee personnel relating to, without limitation, casino marketing, complimentary, junkets, gaming, casino simulcasting, keno wagering, special events, promotions and player ratings;

14. Enter data in gaming-related computer systems or develop, maintain, install or operate gaming-related computer software systems;

15. Collect and record, pursuant to N.J.A.C. 19:45-1.29, patron checks and personal checks which are dishonored and returned by a bank;

16. Develop marketing programs to promote casino gaming including, without limitation, coupon redemption and other complimentary distribution programs;

17. Distribute, redeem, account for or inventory coupons which are considered in the calculation of gross revenue;

18. Process or maintain information on credit applications or the redemption of counterchecks;

19. Process coins, currency, gaming chips, gaming plaques, slot tokens or cash equivalents;

20. Repair or maintain the closed circuit television system equipment that is required by N.J.A.C. 19:45-1.10 as an employee of the surveillance department;

21. Are being trained to become a surveillance employee pursuant to N.J.A.C. 19:41-1.2A(b);

22. Provide physical security in a casino, casino simulcasting facility or restricted casino area;

23. Control and maintain the slot machine inventory, including replacement parts, equipment and tools used to maintain slot machines;

24. Perform as the secretary to the supervisor of the surveillance department, internal audit department, casino accounting department or credit department;

25. Repair gaming equipment other than slot machines;

26. Perform responsibilities associated with the installation, maintenance or operation of computer hardware for casino computer systems; and

27. Supervise a person required to be licensed as a casino employee.

(b) Any person who holds a current and valid casino key employee license may perform the duties and responsibilities of any position that requires a casino employee license.

New Rule, R.1995 d.467, effective August 21, 1995.
See: 27 N.J.R. 2116(a), 27 N.J.R. 3222(a).

Historical Note

A former N.J.A.C. 19:41-1.2, "Casino service industry licenses" was repealed by R.1992 d.412, effective October 19, 1992. See: 24 N.J.R. 2695(b), 24 N.J.R. 3738(a).

19:41-1.3 Employee licensee and registrant age requirements; eligibility to work in the United States

No natural person shall be employed as a casino key employee pursuant to N.J.S.A. 5:12-9 and N.J.A.C. 19:41-1.1 or as a casino employee pursuant to N.J.S.A. 5:12-7 and N.J.A.C. 19:41-1.2 unless he or she is 18 years of age or older, and is a citizen of the United States or is authorized pursuant to Federal law to work in the United States. No natural person shall be employed as a casino service employee registrant pursuant to N.J.S.A. 5:12-91 unless he or she has attained the age required for employment by the laws of the state in which he or she will be employed, and is a citizen of the United States or is authorized pursuant to Federal law to work in the United States.