

(d) The written compliance plan, and any amendments thereto, shall be provided to the Division.

(e) The casino licensee or holding company, as applicable, shall designate an individual to serve as a compliance officer in accordance with this subchapter. The compliance officer shall be an individual who has been found qualified by the Commission under the Act.

1. The compliance officer shall report directly to the compliance committee on matters related to this subchapter. All reports prepared by the compliance officer relating to the compliance review and reporting system shall be filed with the compliance committee.

2. The compliance officer shall have no functions which are incompatible with his or her duties and responsibilities as a compliance officer as set forth in this subchapter. Such incompatible functions shall include, without limitation, market development activities.

3. The compliance officer shall:

i. Notify the compliance committee in writing of the following:

(1) All efforts by the casino licensee, its holding companies, affiliates or employees in connection with the development of gaming activities in any jurisdiction not having a distinct system which regulates such activity, and the names of all individuals and business entities including, but not limited to, consultants, having any material association or proposed association with such efforts; and

(2) All outstanding material litigation involving the casino licensee, its holding companies or affiliates or any executive employee, which is not routine business litigation such as, without limitation, negligence, workers compensation and employment claims; and

ii. Provide the Division with notice of the information in (e)3i above at least semi-annually on or before January 1st and July 1st of each year.

(f) The casino licensee or holding company, as applicable, shall establish a compliance committee consisting of at least three members, each qualified by the Commission under the Act. At least one member thereof shall not hold any employee, officer, executive or operational position with the casino licensee, its holding companies or affiliates, and one or more members of the committee shall be familiar with the New Jersey gaming regulatory process.

1. The compliance committee shall meet at least once a calendar quarter.

2. The compliance committee shall not report to any employee, officer, executive or operational person or entity within the casino licensee, its holding companies or affili-

ates, and shall file its reports and recommendations with the company's board of directors and the general counsel.

3. The written agenda for each meeting of the compliance committee shall be promptly filed with the Division, and the minutes for each such meeting, whether or not ratified or adopted, shall be filed with the Division in accordance with N.J.A.C. 13:69C-8.1.

4. Any casino licensee or holding company thereof which has a compliance committee constituted in accordance with gaming laws shall be entitled to utilize that committee for purposes of this subchapter, provided that the charter for such committee expressly imposes responsibility for compliance with this subchapter and the committee and its members meet the requirements of this subchapter.

(g) Any information or documents obtained, maintained, prepared or communicated by, to or on behalf of the compliance officer, compliance committee, general counsel, or board of directors or their agents, in connection with any policy implemented in accordance with this subchapter shall be maintained in accordance with N.J.S.A. 5:12-74.1.

(h) Nothing in this subchapter shall be construed to preclude any casino licensee from utilizing:

1. Its independent audit committee, formed in accordance with N.J.A.C. 13:69D-1.11(c), to assume the duties and perform the functions of the compliance committee mandated by this subchapter, provided that the charter for such committee expressly imposes responsibility for compliance with this subchapter; and

2. Its audit department executive required by N.J.A.C. 13:69D-1.11(b)2 to assume the duties and perform the functions of the compliance officer required by this subchapter.

## SUBCHAPTER 9. EMPLOYMENT REQUIREMENTS

### 13:69C-9.1 Employee internal controls submission

(a) Each applicant for a casino license shall, in accordance with N.J.S.A. 5:12-99, submit an original and three copies to the Division of a description of its internal procedures and administrative and accounting controls concerning employee licensing requirements. Unless otherwise directed by the Division, an initial submission shall be made at least 30 days prior to the projected date of issuance of a certificate of operation. Each such submission shall address, without limitation, the following employee licensing requirements:

1. Procedures used to process and submit applications for casino key employee licenses and casino service employee registrations;

2. Procedures used to prepare and submit petitions for temporary key employee licenses;

3. Procedures for assuring that only properly licensed or registered persons are employed in each position for which a license or registration is required;

4. Procedures for assuring that no person whose license, registration, qualification or approval has been denied or revoked or whose license or registration has been suspended is employed in any position which does not require a license or registration, except as expressly authorized by the Division pursuant to N.J.A.C. 13:69A-8.9, 8.10 or 8.11;

5. Procedures for assuring that no unlicensed or unregistered person who has committed a disqualifying offense pursuant to N.J.S.A. 5:12-86c is employed as a CHAB employee, except as expressly authorized by the Division pursuant to N.J.A.C. 13:69A-8.9, 8.10 or 8.11; and

6. Procedures for notice, verification and implementation of wage executions in accordance with N.J.A.C. 13:69C-9.6.

(b) Each casino licensee shall maintain on its premises a complete, updated copy of its employee internal controls submission, which shall be made available for review upon request of the Division.

(c) Unless otherwise directed by the Division, an amendment to a previously approved employee licensing internal controls submission may be implemented by the casino licensee without the prior approval of the Division, provided that the amendments are immediately recorded in the copy of the employee internal controls submission maintained by the licensee on its premises.

(d) The Division may review any internal controls submission required to be maintained by this section.

### **13:69C-9.2 Obligation to terminate, suspend or refuse employment; form of notice**

(a) Except as authorized by the Division pursuant to N.J.A.C. 13:69A-8.9, 8.10 or 8.11:

1. Each casino licensee shall terminate or suspend the employment of any person whose license, registration, qualification or approval has been denied, revoked or suspended by the Commission and/or the Division;

2. No casino licensee shall employ any person whose license, registration, qualification or approval has been denied, revoked or suspended during the period such person is restricted from employment pursuant to N.J.A.C. 13:69A-8.8; and

3. No casino licensee shall knowingly employ any unlicensed or unregistered person as a CHAB employee if

such person has been convicted of a disqualifying offense pursuant to N.J.S.A. 5:12-86c.

(b) Any casino licensee required to terminate or suspend the employment of any such person shall do so within 24 hours of receipt of notice from the Commission and/or the Division as defined in (c) below.

(c) The Division shall, on a weekly basis, notify each casino licensee of the name, date of birth, license, registration or application number and employment eligibility status of each person whose license, registration or application has been revoked, suspended or denied by the Commission and/or the Division.

1. This notice shall be provided to each casino licensee by hard copy (printed) communication or electronic data transfer by no later than 3:00 P.M. each Thursday, unless Thursday is a State or Federal holiday, in which case notice shall be provided by no later than 3:00 P.M. on the first weekday thereafter that is not a State or Federal holiday.

2. Notwithstanding N.J.A.C. 13:69-3.3(d), this notice shall be deemed received by the casino licensee at 9:00 A.M. on the second weekday following the issuance of the notice, unless that weekday is a Friday or State or Federal holiday, in which case notice shall be deemed received at 9:00 A.M. on the first weekday thereafter that is not a State or Federal holiday.

### **13:69C-9.3 Employee reporting and recordkeeping requirements**

(a) Each casino licensee shall maintain a complete, accurate and current record of each employee including, without limitation, the information in (b) below.

(b) Each casino licensee shall file the following reports with the Division by electronic data transfer on the first and the 15th calendar day of each month:

1. For each current employee:

- i. License or registration number, if applicable;
- ii. Social Security number, if such information has been voluntarily provided in accordance with Section 7 of the Privacy Act, 5 U.S.C. § 522a;
- iii. Last name, first name and middle initial;
- iv. Date of birth;
- v. Address, including zip code;
- vi. Job title;
- vii. Initial date of hire in the position;
- viii. The casino code assigned by the Division to the casino licensee;