

ix. The access code, if any, assigned to the employee, which code designates the restricted casino areas that the employee is permitted to enter and remain in for the purposes of performing his or her normal duties; and

x. For any CHAB employee who does not hold a valid license or registration, whether such employee has been convicted of a disqualifying offense pursuant to N.J.S.A. 5:12-86c;

2. For each individual whose employment has been terminated since the date of the most recent report filed with the Division pursuant to this subsection:

- i. The information in (b)1i through x above; and
- ii. The effective date of termination;

3. A record of any and all designations used by a casino licensee to describe categories of its employees, for example "full time," "part time," or "seasonal," the number of employees in each such category and the total number of all employees in all categories; and

4. The date on which the information provided in the report was compiled.

13:69C-9.4 through 13:69C-9.5 (Reserved)

13:69C-9.6 Notice, verification and implementation of wage execution

(a) The Division shall, on a weekly basis, notify each casino licensee of the name, date of birth, and, if applicable, the license or registration number of each person who has become subject to a Commission or Division order pursuant to N.J.A.C. 13:69B-2.11A.

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.

(b) Upon receipt of the notice in (a) above, a casino licensee shall either:

1. Verify that, except as provided in (c)1 below, a wage execution is in place for each employee whose name appears on the list; or

2. If a wage execution is not in place for any such employee, the casino licensee shall:

i. Obtain a copy of the Commission or Division order and relevant consent agreement or court order from the employee or immediately request copies from the Commission or Division; and

ii. Within 10 days of receipt of the notice, implement the Commission or Division order by remitting the required amount of the employee's wages to the agency identified in the consent agreement or court order until the amount specified has been remitted or until the employee provides evidence that the debt has been paid in full.

(c) Notwithstanding (b) above:

1. A casino licensee shall notify the Commission or Division in writing of any prior wage execution orders, final decrees in bankruptcy proceedings or any other reason which prevents compliance with the Commission's or Division's order, including the terms and priorities of such orders or decrees.

2. A casino licensee shall be permitted, upon written notice to the Commission or Division, to cease implementation of any consent agreement imposed pursuant to N.J.A.C. 13:69B-2.11A, if it receives a subsequent court order directing a wage execution for that employee or a final decree in a bankruptcy proceeding which discharges the underlying debt.

SUBCHAPTER 10. REQUIREMENTS FOR DOING BUSINESS WITH VENDORS

13:69C-10.1 Requirements for doing business; Active Vendors Record; Prohibited Vendors Record

(a) No agreement entered into with any person by or on behalf of a casino licensee or applicant shall be performed or in force or effect unless the casino licensee or applicant has filed a Master Purchasing and Disbursement Report, and:

1. The person is licensed as a casino service industry pursuant to N.J.S.A. 5:12-92a or is an applicant for a casino service industry license pursuant to N.J.S.A. 5:12-92a and has been granted a transactional waiver pursuant to N.J.A.C. 13:69J-1.2B; or

2. The appropriate filings have been submitted on behalf of the person in accordance with vendor registration pursuant to N.J.S.A. 5:12-92c or the Division has exempted the transaction from such filing requirements pursuant to N.J.A.C. 13:69C-10.5.

(b) The Division shall maintain an Active Vendors Record of persons with whom a casino licensee or applicant may do business for the reasons set forth in (a) above.

(c) Notwithstanding any other provision of this subchapter, no casino licensee or applicant shall enter into an agreement with any person who:

1. Has been found disqualified pursuant to N.J.S.A. 5:12-86;
2. Has failed to comply with the filing requirements of N.J.A.C. 13:69C-10.4;
3. Has been subject to a suspension, revocation or denial of a casino service industry license or dismissal of an application pursuant to N.J.A.C. 13:69A-9.3 or 13:69J-1.5 or 1.10;
4. Is restricted from application pursuant to N.J.A.C. 13:69A-8.6; or
5. Has been temporarily prohibited from doing business with casino licensees and applicants pursuant to N.J.A.C. 13:69B-3.

(d) The Division shall maintain a Prohibited Vendors Record of persons with whom casino licensees and applicants are prohibited from doing business for the reasons set forth in (c) above. Such record shall be made available to casino licensees and applicants on a regular basis.

(e) No person shall be removed from the Prohibited Vendors Record except as follows:

1. By order of the Division;
2. Upon expiration of the applicable period of restriction; or
3. For a person who is placed on the Prohibited Vendors Record for failure to comply with all applicable filing requirements, upon compliance therewith or after a period of five years from the date of prohibition unless the Division determines that such person should remain on the Record to protect the public interest and further the policies set forth in N.J.S.A. 5:12-1(b)6, 1(b)9, 92 and 104.

13:69C-10.2 Maintaining agreements; filing of agreements

(a) Pursuant to N.J.S.A. 5:12-104b, each casino licensee or applicant shall be required to maintain a fully signed copy of every written agreement and records with respect to any unwritten agreement, which provide, at a minimum, the terms thereof, the parties thereto and a description of the goods or services provided regarding the following, whether or not the casino licensee or applicant is a party to such agreement and whether or not the agreement provides for the exchange of direct compensation:

1. The realty of the casino hotel or related facility, including construction, maintenance, renovation, expansion or demolition;
2. Any person doing business with or for the benefit of the casino licensee or applicant; or

3. Any person doing business on the premises of the casino hotel.

(b) Each casino licensee or applicant shall submit a copy of any written agreement or a precise written description of any unwritten agreement for which records are maintained pursuant to (a) above upon oral or written request from the Division based upon a determination that such filing is necessary to protect the public interest and accomplish the policies of the Act.

(c) A written agreement between a casino licensee holding an Internet gaming permit and a casino service industry enterprise licensed pursuant to section 92a of the Act, or an eligible applicant for such a license, in connection with the conduct of Internet gaming that provides for a percentage of the casino licensee's Internet gaming gross revenue to be paid to the casino service industry enterprise licensee shall be filed with and approved by the Division.

Amended by R.2013 d.128, effective October 21, 2013.
See: 45 N.J.R. 1355(a), 45 N.J.R. 2336(a).

Added (c).

13:69C-10.3 Review of agreements and records of agreements; termination upon disapproval

(a) The Division may review each agreement and record maintained pursuant to N.J.A.C. 13:69C-10.2 to determine the following:

1. The reasonableness of the terms of the agreement, including the terms of compensation;
2. The qualifications of the persons involved in and associated with the agreement in accordance with the standards enumerated in Section 86 of the Act, after which the Division may make a finding as to the suitability of such persons to be involved or associated with the casino licensee or applicant; and
3. Whether any action is desirable or necessary to regulate, control or prevent economic concentration in any casino service industry or to encourage or preserve competition in any casino service industry in accordance with N.J.S.A. 5:12-1b(12) and N.J.A.C. 13:69J-1.6.

(b) If the Division disapproves of an agreement governed by N.J.S.A. 5:12-104b and N.J.A.C. 13:69C-10.2 or any person associated therewith, the Division may by directive require the termination of such agreement or association or pursue any remedy or combination of remedies provided for in the Act or the rules of the Division. If such disapproved agreement or association is not thereafter promptly terminated as required by Division directive, the Division may pursue any remedy or combination of remedies provided for in the Act or the rules of the Division.

(c) Each agreement maintained pursuant to N.J.A.C. 13:69C-10.2 shall be deemed to include a provision for its termination without liability on the part of the casino licensee or applicant, or on the part of any qualified party to the

agreement or any related agreement the performance of which is dependent upon such agreement, in the event that the Division disapproves the agreement in accordance with (b) above.

13:69C-10.4 Filing requirements: Vendor Registration Form

(a) Each casino licensee or applicant shall file with the Division a Vendor Registration Form (VRF), as set forth in N.J.A.C. 13:69A-5.11, for any enterprise with which it is conducting business, and provide such enterprise with a