



**LAWS AND REGULATIONS GOVERNING
PRIVATE EMPLOYMENT AGENCIES,**

Administered by:

WAGE AND HOUR BUREAU.

N.J. DEPARTMENT OF LABOR AND INDUSTRY.

Div. of Labor

Post Office Box V

Trenton, New Jersey 08625

→ PRIVATE EMPLOYMENT AGENCIES SECTION.

1100 Raymond Boulevard

Newark, New Jersey 07102

NJ/KAB

L1/A2

1968

copy 2

STATE OF NEW JERSEY

CHAPTER 337 OF THE LAWS OF 1951 AS AMENDED BY
CHAPTER 379 OF THE LAWS OF 1953

1. As used in this act:

N.J.S.A.
34:8-24.
Terms
defined.

“Employment agency” means and includes the business of procuring or offering to procure help or employment, or the giving of information as to where help or employment may be procured, whether the business is conducted in a building or on the street or elsewhere; or the business of keeping an employment bureau, nurses’ registry, or agency for procuring engagements for vaudeville or theatrical performers, or other agency or office for procuring work or employment for persons, where a fee or privilege is exacted, charged or received directly or indirectly for procuring or assisting or promising to procure employment, work, engagement or a situation of any kind, or for procuring or providing help or promising to provide help for any person, whether such fee is collected from the applicant for employment or the applicant for help, or whether the application for help or employment is made directly or indirectly by either the prospective employer or the prospective employee or by any person acting to secure either help or employment for the prospective employer or the prospective employee.

“Fee” means and includes any payment of money, or promises to pay money, or the excess of money received by a person furnishing employment or employees over what he has paid for transportation, transfer or baggage or lodging for an applicant for employment. It shall also mean and include the difference between the amount of money received by any person who either furnishes employees or performers for any entertainment, exhibition or performance, or who furnishes baby sitters for any occasion, and the amount paid by such person or persons to the employees, performers or baby sitters.

“Privilege” means and includes the furnishing of food, supplies, tools or shelter to contract laborers, commonly known as commissary privileges. The furnishing of food, supplies,

tools or shelter to laborers, if performed or paid for within this State, both in connection with the promise or offer to provide help or employment regardless of where such offer is made or where the help is obtained, shall be considered proof of violation of this act.

“Commissioner” means the Commissioner of Labor and Industry of this State or his duly authorized representative.

“Contract laborers” means unskilled or skilled workers, of either sex, furnished either directly or indirectly by any person, engaged directly or indirectly in the business of furnishing employees, to employers by whom they are to be employed in groups of five or more persons.

“Employment agency owner’s license” means a license authorizing the person to whom it is issued to own an employment agency and to have such employment agency operated by a person or persons duly authorized to perform the functions for which the agency is licensed.

“Employment agency operator’s license” means a license issued to an individual person who is the holder of an employment agency owner’s license or to an employee or agent of the holder of an employment agency owner’s license. When held by the employee or agent of the holder of an employment agency owner’s license such employment agency operator’s license shall authorize the holder to perform such functions as he may be duly authorized and empowered by his employer to perform and for the performance of which an employment agency operator’s license is required. No person, other than the holder of an employment agency operator’s license, shall furnish help or employment, or furnish information as to where help or employment may be obtained, or manage, operate or carry on the business of an employment agency.

“Representative” means any individual person holding an employment agency operator’s license duly authorized and empowered by the owner of the employment agency owners’ license, by whom he is employed, to solicit business and otherwise act as the duly authorized representative of his employer to the extent of such authorization and subject to the provisions of this act.

“Employee” means an applicant for a job, or an engagement to work, who is furnished to an employer, or prospective employer, by an employment agency. The definition shall not apply to employees of the employment agency.

“Employer” means an applicant for help for whom an employee is to be supplied by an employment agency.

“Rules and regulations” means such rules and regulations as shall have been promulgated by the commissioner and are not inconsistent with the provisions of this act.

“Vaudeville or theatrical performers” means individual persons or groups of persons whose services are available for hire for the purpose of furnishing entertainment or amusement, whether the services are rendered by individuals performing alone or in groups commonly described as entertainment acts.

“Agency for procuring engagements for theatrical or vaudeville performers” means any person engaged in the business of procuring employment for vaudeville or theatrical employees for any employer other than himself.

“Baby sitters” means and includes any individual person under 21 years of age, of either sex, other than a registered nurse or a licensed nurse, entrusted temporarily with the care of children during the absence of their parents, guardians, or persons standing in loco parentis to them. This definition shall not include persons regularly employed by agencies, or institutions operated by or under the control or supervision of this State, or any of its political subdivisions, nor any nurseries operated for the care of children when such nurseries are similarly controlled or supervised.

2. The provisions of this act shall not apply to:

(1) A business or persons engaged therein which is confined to procuring employment in schools or institutions of learning recognized and approved as such by the Department of Education of this State, or by the duly established authority of the State in which the employment is procured when the employment procured is restricted to positions for teachers who are recognized and approved as such by the said Department of Education under its authority to qualify and certify teachers;

N.J.S.A.
34:8-25.
Application
of act.

(2) Departments or bureaus maintained by persons for the purpose of securing help for themselves where no fee is charged the applicant for employment, or to any State, Federal, or municipal or charitable agency where no fee is charged. The exemption from the provisions of this act of departments or bureaus maintained by persons for the purpose of securing help for themselves shall not be construed to exempt associations or organizations of employers from the requirement to procure such license or licenses as are otherwise required under this act;

Proviso.

(3) The procuring of employment by any labor union for any of its members in any job or jobs coming under the jurisdiction of the union; *provided*, that no fee is charged any employee for being furnished employment or information where employment may be procured;

Proviso.

(4) Any nurses' registry conducted by any association of registered nurses, whose membership is not less than ten registered nurses, duly incorporated as a nonprofit organization under the laws of New Jersey, and operated under the supervision of a registered nurse legally authorized to practice as such in the State of New Jersey; *provided*, that no such nurses' registry shall furnish help or employment in any occupation other than as a registered nurse, a practical nurse, licensed by the State of New Jersey, or persons other than baby sitters approved by the registered nurse in charge of such nurses' registry and sent by the agency to an employer to assist nonprofessionally in the care of the sick or ailing; or

Proviso.

Proviso.

(5) Any association of farmers duly incorporated on a nonprofit basis, under the provisions of the law of New Jersey, and certified to the commissioner by the Secretary of Agriculture of New Jersey as being an association of bona fide farmers of New Jersey; *providing*, that such association of farmers does not furnish help to any person or persons other than members of their association; *and further provided*, that no fee is charged any employee for being furnished employment or information where employment may be procured. The provisions of this act shall not apply to any person who furnishes for or to farmers, workers to be employed on a seasonal basis

in the occupation of field workers or harvest hands and by whom no fee is charged either directly or indirectly to any worker, or to whom any fee is paid either directly or indirectly by any worker for the furnishing or agreeing to furnish help either for farmers or employment for workers provided that the wages of such workers are paid directly to the workers by the farmers by whom they are employed; *provided, however,* the exemptions established in this paragraph shall not apply to any person who induces or attempts to induce a person working under contract with his employer to leave the employment in which he is working under said contract until such time as said contract is completed or the employee is no longer responsible for its completion.

Proviso.

3. No person shall either directly or indirectly open, conduct or maintain an employment agency or perform any of the functions of an employment agency without first obtaining such license or licenses as is or are required by the provisions of this act. No license shall authorize the furnishing of help or employment or the furnishing of information where help or employment may be procured in the capacity of baby sitters. No employee of a licensee shall be exempt from the requirement of securing a license for the performance of any act for which a license is required by this act. No license shall be of avail to any person other than the individual person or persons holding such license except that a corporation may be the holder of an employment agency owner's license. No license shall be of avail for use at any place other than at the place designated in such license. No license, issued to an employee of any employment agency shall authorize his employment by any other employment agency. No employment agency owner's license shall be transferred or amended unless a consent thereto, in writing, is given by the commissioner. No employment agency owner's license shall be transferred by the licensee to any other person except upon the written consent of the commissioner, and the payment of the fee prescribed by this act.

N.J.S.A.
34:8-26.
License
required,
terms and
conditions,
penalty.

Upon the termination of the employment of the holder of an employment agency operator's license the holder of the employment agency owner's license by whom the holder of

said employment agency operator's license has been employed shall promptly notify the commissioner of the termination of the employment. The employment agency operator's license shall thereupon be cancelled and the holder thereof entitled to the issuance of a new license for the unexpired term of the old license without payment of additional fee upon the written request of such holder thereof and the holder of the employment agency owner's license who is to be named in such new license as the new employer; *provided, however*, that the commissioner may refuse to issue such new license for any good cause shown within the provisions of this act.

Proviso.

Any unlicensed person or any officer or agent of any unlicensed corporation who shall either directly or indirectly open, conduct or maintain an employment agency, or any person who shall knowingly permit any unlicensed employee or agent to perform any act, the performer of which is required to be licensed, shall be guilty of a misdemeanor and shall be punishable by a fine of not less than fifty dollars (\$50.00) nor more than two hundred fifty dollars (\$250.00) or by imprisonment for a period of not more than one year, or both.

Any person performing any act, the performance of which is within the definition of employment agency operator's license, without holding such a license, shall be guilty of a misdemeanor and shall be punishable by a fine of not less than fifty dollars (\$50.00) nor more than two hundred fifty dollars (\$250.00), or by imprisonment for a period of not more than one year, or both.

4. Applications for licenses required by this act shall be made, in writing to the commissioner, in such form as shall be prescribed by the rules and regulations promulgated by the commissioner.

Each application for an employment agency owner's license shall state the complete address, including street and street number of the building and place where the agency is to be conducted and shall enumerate the type or class of occupations in which the applicant intends to furnish help or employment.

Each application for an employment agency operator's license shall state the name and address of the applicant, the

N.J.S.A.
34:8-27.

Application,
form and
contents.

name of the holder of an employment agency owner's license, by whom the applicant expects to be employed, and such other information, concerning the applicant and his education and experience, as may be required by the commissioner to assist him in determining the applicant's responsibility and qualifications in respect to the type of license applied for. Any such application shall also enumerate the type or class of occupations in which the applicant intends to deal in the furnishing of help or employment. No employment agency operator's license shall be issued until the holder of the employment agency owner's license to be named therein shall confirm to the commissioner in writing the agreement of employment of the holder of the employment agency operator's license by the holder of the employment agency owner's license.

The commissioner shall act upon any application for a license within thirty days after receiving the same, but shall not grant any license until the application therefor shall have been on file for at least one week and notice of the application and opportunity to be heard in the case of the application for an employment agency owner's license shall have been given to every holder of an employment agency owner's license in the county where the proposed agency is to be located, and in the case of an application for an employment agency operator's license similar notice and opportunity shall have been given to every holder of an employment agency owner's license whose agency is located in the same county with the agency by which the applicant is to be employed; *provided*, that the foregoing Proviso. provisions concerning notice and opportunity to be heard shall not apply in the case of the issuance of a new employment agency operator's license to the holder of such a license as provided for in the second paragraph of section three of this act. The mailing of the notices herein required by first-class mail one week prior to the date on which the commissioner acts on the application shall constitute the giving of the notice required by this paragraph. For the purpose of allowing an applicant to submit additional information, the commissioner may extend the maximum time for acting upon an application from thirty to sixty days.

N.J.S.A.
34 :8-28.

Applicant
to have
knowledge
of the law
and rules,
character.

5. Every applicant for an employment agency operator's license under this act shall, by means of such written examination as may be required by the rules and regulations promulgated by the commissioner, reasonably satisfy the commissioner that the applicant has sufficient knowledge of the provisions of this act, the rules and regulations promulgated by the commissioner, and of the labor laws of this State to reasonably insure that any acts performed by him as licensee will be in compliance with the applicable laws and regulations, and further that by means of examination he shall reasonably satisfy the commissioner that he has sufficient knowledge of and experience in relation to the fields of employment specified in his application as will insure his ability to render adequate and efficient service to persons seeking help or employment; *however*, for the purpose of enabling persons to secure experience and knowledge necessary to qualify them as an operator, the commissioner may waive such of the requirements of this paragraph as he deems proper and issue a provisional temporary license authorizing the holder to perform functions requiring a license, when acting under the direct supervision of a duly qualified licensed operator; *provided*, that no such temporary license shall remain in effect for more than one year.

Every applicant for an employment agency owner's license shall furnish such evidence as may be required by the commissioner to satisfy him that the applicant, or in the case of a corporate applicant, its officers and directors, is or are of good moral character. Such evidence shall include the affidavits of at least three reputable citizens of this State who have known the applicant or said officers or directors for a period of at least five years. Every applicant, and every officer and director of a corporate applicant, shall be citizens of the United States and shall furnish proof thereof. Every applicant shall furnish such additional information, concerning himself, or its officers and directors, as may be required by the rules and regulations promulgated by the commissioner for the purpose of assisting him in investigating the character and responsibility of the applicant or its officers and directors.

An applicant for an employment agency operator's license shall furnish information which will reasonably satisfy the commissioner that the applicant has sufficient knowledge of opportunities for employment in this State and of the essential qualifications of employees in the occupations in which he intends to furnish help or employment.

Any such applicant for an employment agency operator's license shall be:

Requirements.

- (1) a citizen of the United States of America, and
- (2) of good moral character, attested to by affidavits of not less than two reputable citizens of the State, whose acquaintance with the applicant shall have been for at least one year.

Any applicant for an employment agency operator's license shall with his application submit to the commissioner, in writing, information reasonably establishing that the applicant has had sufficient formal education or the equivalent thereof to enable him to properly keep the records and do the clerical work required by this act.

If the employment agency operator's license is restricted to the furnishing of help or employment in domestic service, the said educational and training qualifications of the applicant shall not be required but the commissioner shall be satisfied that the applicant has had sufficient training or experience to furnish or place domestic help.

The commissioner shall provide for the issuance of, and shall prescribe the form for, the licenses which he is authorized to issue pursuant to this act. The commissioner, by rule promulgated by him, may require licenses to be posted and registration cards to be carried in such cases as he shall determine. All licenses, subject to revocation as provided in this act, shall expire on the first day of January next after their issuance.

6. An employment agency shall not be conducted in any of the following places:

N.J.S.A.
34:8-29.

Restrictions
on places
of business.

- (1) Rooms or quarters used for living purposes;
- (2) Boarding or lodging houses, rooms or quarters;
- (3) Sleeping rooms or quarters.

Where the application is for a license to operate an employment agency in a place used for the conduct of another business, the commissioner may refuse to grant such license if, in his opinion, such refusal would be in the public interest.

N.J.S.A.
34:8-30.
Bond
required.

7. Before an employment agency owner's license is issued, the applicant shall deposit with the commissioner a bond in the penal sum of one thousand dollars (\$1,000.00), with two or more sureties, or a duly authorized surety company as surety, to be approved by the commissioner.

The bond shall be payable to the State and shall be conditioned that the person applying for the license will comply with this act and will pay all damages occasioned to any person by reason of any misstatement, misrepresentation, fraud or deceit, or any unlawful act or omission of any licensed person, his agents, or employees, while acting within the scope of their employment, made, committed or omitted in the business conducted under the license, or caused by any violation of this act in carrying on the business for which the license is granted. In case of a breach of the condition of any bond, application may be made to the commissioner by the person injured by the breach for leave to sue upon the bond, which leave shall be granted by the commissioner if it be proven to his satisfaction that the condition of the bond has been breached and the party applying has been injured thereby. The person obtaining leave to sue shall be furnished with a certified copy of the bond and institute suit on the bond in his own name for the recovery of damages sustained by such breach.

If at any time, in the opinion of the commissioner, the sureties on any such bond, or any of them, shall become irresponsible, the person holding such license shall, upon notice from the commissioner, give a new bond, subject to the provisions of this section. The failure, to give a new bond within ten days after such notice, at the direction of the commissioner, shall operate as revocation of such license, and the license shall be thereupon returned to the commissioner.

8. The licenses hereunder shall be issued upon an annual basis and the fees therefor shall be as follows:

N.J.S.A.
34:8-31.
Schedule
of fees for
licenses.

- (1) An employment agency owner's license
 - (a) In any municipality having a population of 150,000 or more \$120.00
 - (b) In any municipality having a population of less than 150,000 but not less than 100,000 90.00
 - (c) In any municipality having a population of less than 100,000 but not less than 50,000 60.00
 - (d) In any municipality having a population of less than 50,000 30.00
- (2) For an employment agency operator's license 5.00

9. Every licensed employment agency shall:

(1) File with the commissioner in form, approved by him, a schedule of fees proposed to be charged for any service rendered to employers seeking employees and to persons seeking employment; and adhere thereto in charging for such services. Before approving of said fee schedule the commissioner must be satisfied that same is reasonably understandable by persons subject to its terms.

(2) Post such schedule of fees in a conspicuous manner in the office of the agency using such blank forms as the commissioner shall provide for such purpose.

(3) Keep and make available to the commissioner, or his duly authorized representative, during regular business hours, such records containing information pertinent to applications for help or employment, help or employment procured or furnished, advertising for help or employment, fees charged or collected, and to matters incidental and relevant thereto as are required by rules and regulations to enable the commissioner to determine the status of compliance with the provisions of this act.

(4) Require all applicants for work in private families, or for positions of trust, to furnish the agency with names and addresses of persons available as character references, and whenever possible communicate, orally or in writing, with at least one of the persons given by the applicant as a character reference. If the applicant has not furnished the names of any persons available as character references, or if no favorable statement has been received from such character references, the agency shall so advise the prospective employer, to whom the applicant is referred. This information shall be written upon the referral slip given by the agency to the applicant for work to present to the prospective employer. A written result of the investigation to determine the character and responsibility of any applicant for help shall be kept on file in the agency subject to examination by the commissioner. If the applicant for help voluntarily waives, in writing, an investigation of references, the licensed agency shall not be required to make such an investigation.

(5) Charge to an employee who is discharged without cause within one week not more than the scheduled fee for temporary employment or not more than ten per centum (10%) of the scheduled fee for permanent employment whichever of the two is the lesser; however, by mutual agreement between the agency and the employee the agency may charge the full fee for the job from which the employee has been discharged without cause and furnish the employee another job for which no charge is to be made.

(6) Charge an applicant who fails to report for duty, after accepting employment, not more than two-fifths of the scheduled fee.

(7) Charge an applicant who leaves employment of his own accord within the first week of employment not more than two-fifths of the scheduled fee.

(8) Reimburse the applicant for transportation expenses if no employment of the kind applied for exists at the place to which the applicant is sent and the licensed agency did not have a bona fide order, either oral or written, from the prospective employer.

(9) If an applicant shall not accept or obtain help or employment through an employment agency to whom he had paid a fee or a part of a fee, the agency shall upon demand repay to the applicant the full amount of any fee or part of a fee which has been paid to the agency for such help or employment allowing three days' time to determine the fact of failure to obtain help or employment.

(10) Give to every applicant for employment, from whom a fee is received, a receipt in which shall be stated the name of the applicant, the date and amount of fee, the purpose for which it was paid, and to every applicant for help a receipt stating the name and address of the applicant, the date and amount of the fee, and the kind of help to be provided. Every such receipt shall have printed on the back thereof a brief abstract descriptive of the provisions of this act relating to such fees.

(11) Furnish each applicant for employment, who is sent to a prospective employer, with a card or similar paper containing the nature of the prospective employment, the names of the applicant and prospective employer, and the address of such employer. The said card or paper may be mailed to the applicant on the same day that the employee is sent to the prospective employer and a copy thereof to the prospective employer in lieu of furnishing the same to the applicant.

(12) Furnish to each applicant for employment who is sent to a prospective employer for an interview concerning the applicant's qualifications or future employment in a job for which no order has been given to the agency, a card or paper containing the names of the applicant and of the prospective employer, the address of the prospective employer and such other particulars as the agency may determine. In each such case, there shall be printed in bold-faced type on said card or paper the following:

"This card of introduction is given the bearer with the understanding that he is not obligated to this agency for any fee until such time as he may be employed as a result of the services rendered him by this agency and after the agency has received a bona fide order for help to fill the job which he has obtained."

N.J.S.A.
34:8-33.
Prohibited
acts.

(13) Post in the agency in such places as the commissioner shall direct an abstract of this act and of the rules and regulations promulgated by the commissioner in such form as he shall require. The commissioner shall certify to the said abstracts.

10. No employment agency shall:
- (1) Conduct a lodging house for the unemployed unless it is separate and apart from the agency.
 - (2) Conduct its business, or any phase thereof, in any room or place where
 - (a) person or persons sleep or conduct their household affairs, or
 - (b) boarders or lodgers are kept.
 - (3) Charge or accept payment of any fees other than shown by its schedule of fees filed with the commissioner and posted in the agency.
 - (4) Accept and receive any valuable thing or gift as or in lieu of a fee.
 - (5) Divide or offer to divide fees, directly or indirectly, with prospective or actual employers or any agent, employee, or representative of said employers.
 - (6) Accept payment of any fee or attempt to collect any fees for any service rendered with relation to any specific help or employment which the applicant has not accepted or obtained through the agency in cases where it is established that the applicant did not accept or obtain such help or employment through the agency.
 - (7) Make any statement or in any way allege or indicate to any applicant sent to seek employment at any place or by any prospective employer that work or employment is available at any such place or by any such prospective employer unless the agency does have a bona fide order for an employee to fill the job alleged or indicated as being available.
 - (8) Send or cause to be sent any female to become a servant or inmate of, or to enter, any place of bad repute, house of ill-fame or assignation, or to any house or place of amusement kept for immoral purposes, or to a place resorted to for the purposes of prostitution, or to a gambling house.

(9) Knowingly permit persons of bad character, prostitutes, gamblers, intoxicated persons or procurers to frequent the agency.

(10) Accept any application for employment made by or on behalf of any child under the age of sixteen years, or place or assist in placing any such child in any employment whatever or place or assist in placing any minor under eighteen years of age in any unlawful occupation.

(11) Induce or compel any person to enter the agency, for any purpose, by the use of force or by taking forcible possession of such person's property.

(12) Publish or cause to be published any false or fraudulent or misleading notice or advertisement. All advertisements of any agency by means of cards, circulars or signs, or in newspapers and other publications, and all letterheads, receipts and blanks shall contain the name and address of the agency, and no agency shall give any false promise or false representation concerning employment to any applicant for employment or help, or enter into any contract with any applicant for help or employment or induce or try to induce any applicant for help or employment to make any agreement, the provisions of which contract or agreement, if fulfilled, is in violation of any provisions of this act.

(13) Induce or attempt to induce any persons working under contract with his employer to leave the employment under which he is working under said contract until such time as said contract is completed or the employee is no longer responsible for its completion.

(As amended by Chapter 379 of the laws of 1953.)

11. The commissioner may withhold any license if it appears to him after investigation, and hearings if necessary, that the needs of employers and employees of any given municipality in which the employment agency is sought to be licensed are adequately served by public free employment offices or by licensed private employment agencies, or both; and that the granting of any additional license for an employment agency to be located in any given municipality is contrary to the best interest and welfare of the public.

N.J.S.A.
34:8-34.
May
withhold
license.

N.J.S.A.
34:8-35.

May refuse
or revoke
license.

12. The commissioner may refuse to issue, and may revoke, any license for any failure to comply with, or violation of, the provisions of this act or for any other good cause shown, within the meaning and purpose of this act. No such refusal or revocation shall be made except upon reasonable notice to, and opportunity to be heard by, the applicant or licensee, as the case may be. The commissioner instead of revoking any license, may suspend the same for such period of time as he shall determine to be just and proper, and he may issue a new license, notwithstanding the revocation of a prior license, provided he shall find that the applicant shall have become entitled to such new license.

N.J.S.A.
34:8-36.

Administra-
tion of act.

Proviso.

13. This act shall be administered by the commissioner and he shall make and promulgate such rules and regulations as may be required for the effectuation of the purposes and provisions of this act; *provided*, that before such rules and regulations or modifications thereof may be promulgated, written notice shall be sent to the holder of each employment agency owner's license and each employment agency operator's license which notice shall contain in full the provisions of the rules and regulations proposed and notice of the time and place of a public hearing to be held not sooner than five days nor later than fifteen days following the date of notice, at which hearing all persons in favor of or opposed to the proposed rules and regulations or modifications thereof may be heard; *and further provided*, that the purpose, the time and place of such hearing shall also be published for the information of the public not sooner than five days nor later than fifteen days following the notice to licensees. Any rules and regulations or modifications thereof, promulgated by the commissioner, shall be filed with the Secretary of State within five days after such promulgation.

Proviso.

N.J.S.A.
34:8-37.

Renewal
of license.

14. Any person who is the holder of a license to open, keep or carry on any employment agency, issued under the provisions of Revised Statutes, Title 34, chapter eight, and who applies for a new license to be issued under the provisions of this act within a period of not more than thirty days prior to the expiration date of the license held by him at the time of such application shall be entitled to receive the new license applied

for upon filing with the commissioner the required bond and the payment of the required fee.

Any person who is a holder of an employment agency owner's license issued under the provisions of this act and applies for a new license to be issued under the provisions of this act shall be entitled to receive the new license applied for upon filing with the commissioner the required bond and the payment of the required fee.

Any individual person who, on the effective date of this act, is the holder of a license to open, keep or carry on an employment agency, issued under the provisions of Revised Statutes of New Jersey, Title 34, chapter eight, and who shall, within a period of not more than thirty days preceding the expiration date of such license, apply for an employment agency operator's license shall, upon the payment of the required fee, be entitled to receive an employment agency operator's license authorizing his dealing in the type of occupations and employment in which he has been authorized to deal in by the license held by him at the time of said application.

Any individual person who is the holder of an employment agency operator's license, issued under the provisions of this chapter, who shall file an application for a new license to become effective upon the expiration date of the license in effect at the time of application, shall, upon the payment of the required fee, be entitled to the license applied for.

15. Except as otherwise specifically provided in this act, any person, corporation, partnership or member of any association, or any agent, servant or employee of any person, corporation, partnership or association who shall violate any of the provisions of this act and any holder of an employment agency operator's license who shall willfully violate any of the provisions of this act shall be guilty of a misdemeanor and shall be punishable by a fine of not less than twenty-five dollars (\$25.00) and not more than two hundred fifty dollars (\$250.00), or by imprisonment for a period of not more than one year, or both.

N.J.S.A.
34:8-38.
Violation,
penalty.

16. Notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent

N.J.S.A.
34:8-39.
Provisions
severable.

that if any provision of this act is held invalid, the remainder of the act and the application of such provision to circumstances other than those as to which it is held invalid, shall not be affected thereby.

N.J.S.A.
34:8-40.
Act to
supersede
certain
provisions,
exception.

17. This act shall supersede the provisions of chapter eight of Title 34 of the Revised Statutes, except so far as may be necessary to permit the enforcement after the effective date of this act, of any of the provisions of said chapter for violations committed before the effective date of this act whether or not proceedings for such enforcement shall have been begun before such effective date and in event that any of the provisions of this act shall be held invalid and the balance of this act shall be held to be unenforceable for the purposes for which it was intended, then the provisions of chapter eight of Title 34 of the Revised Statutes shall be held to be and remain in full force and effect.

N.J.S.A.
34:8-41.
License
may issue.

18. Licenses may be issued under this act prior to the effective date of this act and such licenses shall become valid upon the effective date of this act.

NOTE: Chapter 337 of the Laws of 1951 became effective January 1, 1952 and the amendatory act, Chapter 379 of the Laws of 1953 became effective August 13, 1953.

RULES AND REGULATIONS

DEFINITIONS

The term "temporary employment" as used in this act and the Rules and Regulations thereunder shall mean employment, the duration of which is fixed by some definite agreed upon period of time or the occurrence of some specified event, either of which must be clearly understood by all parties at the time of referral.

Temporary
employ-
ment.

The term "accepting employment" as used in Chapter 337, P. L. 1951, New Jersey shall for the purpose of administering such law mean that an employee sent by an employment agency to an employer in response to a job order in full compliance with the provisions of said law, rules and regulations, agreed with the employer as to the conditions of employment, salary, or wages to be paid and the time and place employment was to begin.

Accepting
employ-
ment.

The term "accept or obtain" shall have the same meaning as "accepting employment."

"accept or
obtain"

The term "discharged without cause" shall mean that the employer has unilaterally terminated the contract of employment although the employee has not committed or omitted any act within his control which would reasonably warrant such action on the part of the employer.

"discharged
without
cause"

The term "who leaves employment of his own accord" shall include but shall not be limited to cases in which the following conditions exist: Neither the job nor the conditions of employment related thereto were misrepresented by the agency to the employee; the employment has been legally accepted or obtained through the agency and it has not been legally established that the employee has just cause to refuse to start or to continue the employment.

"who leaves
employment
of his own
accord"

Types or
classes of
occupations.

The term "types or classes of occupations" as used in this act shall mean the general categories of employment in which an applicant for a license under this act intends to furnish help or employment. These general categories are defined and the definitions made a part of these rules and regulations as follows:

Aero-
nautical.

The term "aeronautical" as used in a license issued under Chapter 337, P. L. 1951, New Jersey or in an application for such a license means that the employee is to be engaged in an occupation dealing with the operation, maintenance or repair of aircraft wherein the employee's skill and training are important factors in the protection of life and property against the hazards of what is commonly known as air transportation.

Agricul-
tural.

The term "agricultural" as used in a license issued under the provisions of Chapter 337, P. L. 1951, New Jersey or in an application for such a license means that the employer is a farmer and the employee is to be employed either on a farm or in occupations directly connected with or essential to the operation of a farm in a nonprofessional occupation or occupations or in an occupation or occupations for which the employee is not required by New Jersey State Law to possess a special license other than such auto driver's license or fireman's license as may be required by New Jersey State Law. This category shall include but is not limited to the following occupations: general farm helpers, stablemen, drovers, sheepherders, hatchery laborers, gardeners, nursery workers, landscape workers, irrigation workers, fruit pickers, vegetable pickers, packers, poultry farm hands, vegetable farm hands, animal and livestock hands, fruit farm hands, dairy farm hands, cotton and grain farm hands, truck farm hands, farm mechanics, weeders, farm couples, barn and stable workers, hunting guides, hunters and trappers, blight control laborers.

"Clerical-
com-
mercial."

The term "clerical-commercial" when used in a license issued under the provisions of Chapter 337, P. L. 1951, New Jersey, or in an application for such a license means that the occupation so described consists chiefly of duties which include but are not limited to the establishment and maintenance of business records, financial records, cash receipts and disbursements,

correspondence and general office procedures. This term shall also include retail sales occupations when the duties are to be performed on the employer's premises and under his general supervision. This term shall also include those occupations which in addition to the above enumerated duties include supervisory or managerial responsibilities of a limited scope. This term shall include but is not limited to the following occupations: accountants, auditors, bookkeepers, cashiers, bookkeeping machine operators, authors, editors, reporters, general office clerks, librarians, financial institution clerks, actuaries, insurance clerks, printing and publishing clerks, transportation clerks, bill and account collectors, correspondence clerks, file clerks, library assistants and attendants, messengers and office boys, telegraph messengers, payroll clerks, mail carriers, secretaries, stenographers, typists, stock clerks, ticket and station clerks, retail sales clerks, telephone operators, bank tellers.

The term "domestic" as used in a license issued under the provisions of Chapter 337, P. L. 1951, New Jersey or in an application for such a license means that the employer is a private individual or family and that the employee is to be privately employed in the home of the employer solely in what is commonly known as domestic service. The following occupations are included in this term: day workers, laundresses, housekeepers, housemen and yardmen, cooks, maids, nursemaids, parlor maids, butlers, valets, private gardeners, and the like. Domestic.

The term "engineering" as used in a license issued under the provisions of Chapter 337, P. L. 1951, New Jersey, or in an application for such a license means that the employee is to be engaged in an occupation or occupations requiring engineering education or training and experience in the application of special knowledge of the mathematical, physical, and engineering sciences to such professional services or creative work as consultation, investigation, evaluation, planning, design or general supervision of construction or operation for the purpose of insuring compliance with planning, specifications, and designs. The term shall also mean that the employee is to be Engineering.

engaged as an engineer-in-charge or as what is commonly known as a chief engineer in an occupation for which a license is required by Title 34, Chapter 7 of the Revised Statutes of New Jersey and rules and regulations legally promulgated under the provisions thereof. This category includes but is not limited to the following occupations: architectural engineer, ceramic engineer, industrial engineer, mining engineer, agricultural engineer, civil engineer, mechanical engineer, radio and television engineer, electrical engineer, nuclear engineer, mathematical engineer, metallurgical engineer.

Executive.

The term "executive" when used in a license issued under the provisions of Chapter 337, P. L. 1951, New Jersey, or in an application for such a license means that the primary duties of an occupation so described are related to the administration of a business, corporation, society or association or a major department thereof and necessarily consist of responsibilities of a supervisory managerial and/or policymaking nature. This category shall include but is not limited to the following occupations: corporate officer or manager of any business, company, association or institution, department head of any major department of any business, company, association or institution, buyers and department store heads, floor managers, purchasing agents, public officials, production supervisors, retail managers, wholesale managers.

**Hotel and
restaurant.**

The term "hotel and restaurant" as used in a license issued under the provisions of Chapter 337, P. L. 1951, New Jersey, or in an application for such a license means that the employer is a hotel, restaurant, hospital, amusement or recreational establishment or institution and the duties of an occupation so described are services of a nonprofessional nature to be performed primarily on the employer's premises. This term is limited to the following occupations only: all kitchen help, all janitorial help, all dining room help, all maintenance help, all laundry workers, groundskeepers, bartenders, cocktail lounge waiters and waitresses, bell boys, porters, chambermaids, room service personnel, housekeepers, elevator operators, doormen.

The term "nursing" as used in a license issued under the provisions of Chapter 337, P. L. 1951, New Jersey, or an application for such a license means that the employee shall be a person duly authorized to use the title of registered nurse under the provisions of the applicable laws of the State of New Jersey or a practical nurse licensed as such by the State of New Jersey. When the person performing the function for which the license is granted is the holder of an Employment Agency Operator's License for "Nursing," this operator may send to an employer a person to assist nonprofessionally in the care of the sick or ailing.

Nursing.

The term "sales" as used in a license issued under the provisions of Chapter 337, P. L. 1951, New Jersey, or in an application for such a license means that the duties of an occupation so described deal primarily with the negotiations for and the exchange of merchandise, services, real estate, insurance contracts, or securities for a valuable consideration and that all or a part of the compensation paid to the person or persons so occupied may be based on commissions. This category shall not include those sales occupations described elsewhere in these regulations as "clerical." This category shall not include those occupations in which the exchanges above mentioned are merely incidental to the primary duties of the employee. This category shall include but is not limited to the following occupations: Auctioneers, brokerage salesman, real estate salesman, automobile salesman, stock and bond salesman, insurance salesman, industrial commodity salesman, industrial services salesman, advertising salesman, radio and television time salesman, route salesman, driver salesman.

Sales.

The term "scientific-professional" as used in a license issued under the provisions of Chapter 337, P. L. 1951, New Jersey, or in an application for such license shall mean those occupations for which the minimum requirements include at least a college or university education or its equivalent in the exact sciences and the primary duties of which deal with the application of scientific knowledge. This category shall not include however those occupations defined elsewhere in these

Scientific-
pro-
fessional.

regulations as "engineering." This category shall include but is not limited to the following occupations: Chemists, biochemists, biologists, botanists, anthropologists, economists, sociologists, psychologists, political scientists, pathologists, zoologists, geologists, physicist-mathematician and the like.

Semi-skilled
and non-
skilled.

The term "semi-skilled and non-skilled" as used in a license issued under the provisions of Chapter 337, P. L. 1951, New Jersey, or in an application for such a license means that the qualifications for the occupation so described do not include any special license required by the laws of this State other than an automobile driver's license or any particular technical or mechanical expertness or proficiency. This category includes but is not limited to the following occupations: apprentice in any trade, manual worker, day laborer, mechanic's helper, painter's helper, filling station attendant, parking lot attendant, machinery oiler, packer, filler, labeler, marker, bottler, washer, bootblack, ushers, charwoman and cleaner, janitor and sexton, porter, elevator operator, car washer.

Skilled trade.

The term "skilled trade" as used in a license issued under the provisions of Chapter 337, P. L. 1951, New Jersey, or in an application for such a license means that the qualifications for an occupation so described include a particular non-professional mechanical expertness or proficiency which is peculiar to one industry or trade. When applied to the apprenticed trades this term shall be the equivalent of journeyman. This category may include, under the conditions herein set forth when the employee holds such a license as required by New Jersey State Law, employment as an auto fireman or driver. This term shall also mean that the occupation is that of an engineer other than an engineer in chief or chief engineer for which a special license is required under the provisions of Chapter 7 of Title 34 of the Revised Statutes of New Jersey. This category shall include but is not limited to the following occupations: bakers, miller, weavers, loom fixer, furrier, milliner, dressmaker, tailor, cabinet-maker, millwright, upholster, electrotyper, stereotyper, lithographer, photo engraver, plate printer, shoemaker, shoe repairman, glass

blower, stone mason, jeweler, watchmaker and repairman, goldsmith, silversmith, sheet metal worker, molder, engraver, machinist, tool and die maker, tinsmith, coppersmith, boiler-maker, ironworker, welder, and flame cutter, blacksmith, electrician, plumber, auto mechanic, carpenter, body and fender man, diesel mechanic, lens grinder, piano and organ tuner, painter, potter, model maker, dyer, construction machinery operator, brick and cement mason, tilsetter, cement and concrete finisher, paperhanger, plasterer, pipefitter, steam-fitter, roofer, plater, bus and tractor-trailer driver, brakeman, conductor, motorman, lineman, power station operator, telegraph, telephone and power serviceman, motion picture projectionist, meat cutter, butcher, glazier, barber, beautician, guard, watchman, bridge tender, police and fireman.

The term "special" as used in a license issued under the provisions of Chapter 337, P. L. 1951, New Jersey, or in an application for such a license shall mean that the employee is to be engaged in an occupation or occupations not otherwise defined in these regulations but are clearly defined in the application filed with the Commissioner of Labor and Industry and in such license as may be issued on the basis of such application. This term shall include but is not limited to the following occupations: attorney, dentists, physician and surgeon, teacher, professor, veterinarian. Special.

The term "technical" as used in a license issued under the provisions of Chapter 337, P. L. 1951, New Jersey, or in an application for such a license means that the duties involved in an occupation so described require a high degree of non-professional training in the areas relative to the exact and natural sciences. This term includes but is not limited to the following occupations: X-ray technician, dental technician, dietician, medical technologist, chemical technician, nuclear technician, laboratory technician, statistician, metallurgical technician, engineering aide, safety technician, automotive technician, broadcast technician, radio-television electronics technician, sound technician, technical writer, technical illustrator, technical artist, electronic computer operator, draftsman, photographer, radio operator, commercial artist. Technical.

Theatrical.

The term "theatrical" as used in a license issued under the provisions of Chapter 337, P. L. 1951, New Jersey, or in an application for such a license means that the employee (s) are to be vaudeville or theatrical performers.

NOTE: In applying the above definitions it is to be understood that the listed occupations under the various definitions are *not* exclusive but are merely guides and are by no means intended to limit the term except where expressly stated.

ADDITIONAL RULES AND REGULATIONS

In every employment agency operated and conducted under the provisions of this Act and these rules and regulations the Employment Agency Owner's License under which the agency is conducted and operated shall be displayed in a prominent place where it may be easily seen and read by all persons visiting the agency. Each person required to have an Employment Agency Operator's License shall display such license in such place and manner as to make it readily seen and read by persons doing business with such licensee. As required by this Act there shall be posted in each agency the schedule of fees which the agency proposes to charge and such posting shall be in a manner and place as to be readily seen and readable by persons doing business with the agency. Posting.

For the purpose of assisting the Commissioner in the administration of Section 11 and other sections of the Act each employment agency shall submit to him monthly statistical reports on forms provided by him. The information to be reported shall include for each month the following: Number of employees applied for or ordered, number of applicants for employment, number of placements-males, number of placements-females, total number of placements. Statistical reports.

To effectuate the purposes of Section 9, paragraph 3 of this Act, every holder of an Employment Agency Owner's License as well as every representative authorized by him to supervise or conduct the operation of his agency, shall see to it that there be kept and maintained, readily available for inspection by the Commissioner or his duly authorized representative for a period of at least two (2) years, the following: Records.

APPLICATIONS

1. All applications for either help or employment, on which applications there shall appear the name and address of

the applicant, the date of application and the following additional information:

- a. When the application is for employment the information shall include a reasonably accurate description of the types or classes of employment and such other facts as the applicant may wish to record.
- b. When the application is for help the information shall include a reasonably accurate description of the job or jobs, address of location at or in which the work is to be performed, range of salary and conditions of employment offered. The term "application for help" as herein used shall mean a bona fide order for help.

For the purpose of convenience there may be recorded on these application forms such additional information as is not in violation of any Law of the State of New Jersey. Written records of applications made for help or employment by telephone or otherwise verbally shall be kept in writing on standard forms a copy of which shall be filed with the Commissioner prior to their use by the agency; *provided, however*, that the written records of applications for help made by telephone or otherwise verbally may be kept in a regular book used exclusively for such purpose.

ADVERTISING

2. Record of all advertisements published by the agency containing complete information as to the date of publication and the name of the paper, periodical or magazine in which same was published and copies of advertisements published through other mediums including letterhead, program, etc., shall also be kept available for inspection.
3. Fees charged.
4. Fees collected.
5. Fees refunded.

6. Such accounting records as may be necessary to enable the Commissioner to readily verify the record of fees charged, fees collected, and refunds made.

REFERENCES

7. All correspondence concerning references of applicants for help or employment including written records of information secured by telephone or otherwise verbally. In cases where employers waive references written records of such waivers shall be kept available for inspection.
8. Each agency shall in writing keep the Commissioner currently informed as to the form and manner in which required records are being maintained.

Whenever it is reasonably possible contracts between agencies and employers and contracts between agencies and employees shall be on standard forms and copies of such forms shall be filed with the Commissioner before same are used. The fact that the Commissioner has not notified an agency or a licensee that a contract, written and executed on a form such as is filed with the Commissioner is a violation of Section 10, paragraph 12 of the Act, shall not excuse or condone such violation. Contracts.

PROVISIONAL TEMPORARY OPERATOR'S LICENSE

Before being granted a Provisional Temporary Employment Agency Operator's License an applicant for such license shall, by means of affidavit of the applicant and of such other evidence as the Commissioner may reasonably require, satisfy him that the applicant has had, for a period of at least one (1) year, been engaged actively, regularly and reputably in business in the capacity of owner or employee and submit to the Commissioner evidence of graduation from a duly recognized high school or of such combination of training and experience which the Commissioner recognizes as equivalent thereto. Whenever the application is for an Employment Agency Operator's License authorizing the applicant to make placements under the title of "Nursing" the applicant shall before license is issued, submit to the Commissioner evidence establishing that the applicant is legally authorized to practice as a registered nurse

Minimum
qualifica-
tions.

in the State of New Jersey or is certified to by at least three (3) members of the medical profession of the State of New Jersey as being qualified to judge the qualifications of persons to be employed in the capacity of nurses.

EMPLOYMENT AGENCY OPERATOR'S LICENSE
(NOT PROVISIONAL TEMPORARY)

Every applicant for an Employment Agency Operator's License before being given such written examination as may be required by the Act and by these rules and regulations shall, by means of affidavit of the applicant and the affidavit of the holder of the Employment Agency Owner's License by whom the applicant is to be employed and by such other evidence as the Commissioner may require, reasonably satisfy the Commissioner that the applicant has, for a period of at least one year, been engaged actively, regularly and reputably in business in the capacity of owner or employee and that for a period of at least six (6) months has been so employed in the handling of personnel problems including the securing of help for employers and jobs for employees in the types or classes of occupations for which application is made, and further, the applicant shall submit to the Commissioner evidence of graduation from a duly recognized high school or of such combination of training and experience which the Commissioner recognizes as equivalent thereto. Whenever the application is for an Employment Agency Operator's License authorizing the applicant to make placements under the title of "Nursing" the applicant shall, before license is approved, submit to the Commissioner evidence establishing that the applicant is legally authorized to practice as a registered nurse in the State of New Jersey or is certified to by at least three (3) members of the medical profession of the State of New Jersey as being qualified to judge the qualifications of persons to be employed in the capacity of nurses.

Identifica-
tion and
introduc-
tory card
re: Bona
fide job
order.

As an aid to agencies in determining the type of card or paper to be furnished under the provisions of Section 9, paragraph 11 of the Act, it is herein provided that information printed in the form and containing the information shown on

the following sample will meet the requirements of the section of the Act referred to.

Name of Agency
Address of Agency

Date of Referral

To Employer:

This will introduce
who is referred to you as per your order for

(Job description)

.....
.....

(In the case of applicants for work in private families or for positions of trust, if for any reason whatsoever character references have not been furnished to or checked by the agency this fact shall be recorded on this introductory card.)

Any building or part thereof in which an employment agency is conducted or operated shall be maintained in a safe and sanitary condition and with due regard to reasonably safeguarding such confidential information as may properly be given to the agency or to an applicant for help or employment either by an applicant for help or employment or by a person legitimately giving information concerning an applicant for help or employment when such information is given on the premises of the agency or a record of such information is maintained on the premises of the agency.

Conditions of premises.

No Employment Agency Owner's License will be issued until the Commissioner has been reasonably satisfied that proper arrangements, have been made for the operation of the agency for which the license is applied by person or persons holding the required Employment Agency Operator's License or Licenses.

Granting of issuance of licenses.

No license required by the provisions of the Act shall be issued until it has been established to the satisfaction of the Commissioner that all of the provisions of the Act and these rules and regulations relative to the issuance of such license have been fully complied with.

REGULATION ON WRITTEN EXAMINATIONS OF
APPLICANTS FOR EMPLOYMENT AGENCY
OPERATOR'S LICENSE

- Item 1. Each applicant for an Employment Agency Operator's License shall, in writing, and at the time and place designated by the Commissioner, answer such written questions concerning the provisions of Chapter 337, Laws, 1951 and concerning the rules and regulations promulgated under the provisions of said Law as may be propounded to him by the Commissioner of Labor and Industry.
- Item 2. Each applicant for an Employment Agency Operator's License shall, at the time and place designated by the Commissioner, write and submit to the Commissioner in writing the applicant's interpretation of such provisions of the Labor Laws of the State of New Jersey as are specified by the Commissioner as being proper material for examination in relation to each type or class of occupation specified in the applicant's application for an Employment Agency Operator's License. The Labor Laws or the provisions of such Labor Laws specified by the Commissioner as being proper material for the examinations are identified and described as follows: (The specific laws or provisions of laws on which examinations may be based for each type or class of occupation are shown by their identifying numbers on the table entitled "Table For Written Examinations" which is hereby made a part of these rules and regulations.)
- Item 2a. Those provisions of Chapter 153, Section 34:2-21.1 through 34:2-21.64 Revised Statutes of New Jersey, commonly known as "Child Labor Law" which provisions establish the conditions under which minors under eighteen (18) years of age may or may not be legally employed.

(Information concerning "Child Labor Law" is contained in "Abstract of Child Labor Laws" copies of which may be secured from the Department of Labor and Industry of New Jersey.)

- Item 2b. The provisions of Section 34:2-24 through 34:2-28 of the Revised Statutes of New Jersey governing maximum hours and night work for females (copies of these statutes may be secured from the Department of Labor and Industry).
- Item 2c. Those provisions of Section 34:6-120 through 34:6-136.23 of the Revised Statutes of New Jersey which provide for the licensing of persons distributing or doing industrial homework or persons seeking industrial homework.
- Item 2d. Such sections and provisions of New Jersey Law governing the licensing of operating engineers and firemen as will enable the applicant for Employment Agency Operator's License authorizing the holder to furnish help or employment in occupations of chief engineers or engineers-in-charge to know the class of license required by the prospective employees.
- Item 2e. The provisions of Section 34:11-4.1 through 34:11-4.12 of the Revised Statutes of New Jersey governing time and manner of payment of wages.
- Item 2f. Such provisions of New Jersey's Law covering the practice of professional engineering and land surveying (with Amending of 1950) which sets forth the conditions under which persons engaged in occupations of professional engineers are required by law to be licensed as such by the State Board of Professional Engineers and Land Surveyors.

Item 2g. The provisions of New Jersey State Wage and Hour Law Section 34:11-56a through 34:11-56a28.

Item 3. Applicants for Employment Agency Operator's License seeking to do business in occupations designated in the Rules and Regulations as "Special" shall be examined on subjects pertinent to the specific type or types of occupation or occupations described by the applicant in his application.

SPECIAL REQUIREMENT FOR AERONAUTICAL AND
NURSING CLASSIFICATION

Applicants for Private Employment Agency Operator's License including in the type or class of occupation in which they intend to furnish help or employment that type or class of occupation defined as "Aeronautical" shall, before receiving license to furnish help or employment in that occupation, first furnish to the Commissioner of Labor and Industry a written statement from the Chief of the Bureau of Aeronautics of the Division of Planning and Development of the Department of Conservation and Economic Development of the State of New Jersey certifying to the Commissioner of Labor and Industry that, in the opinion of the Chief of the Bureau of Aeronautics, the applicant does have sufficient knowledge of the types of licenses required by persons to be legally engaged in an occupation in the operation, maintenance or repair of aircraft to reasonably protect the persons to whom such help is to be furnished and the public.

Applicants for Employment Agency Operator's Licenses listing in their applications occupations defined as "nursing" shall, before being granted a license, establish to the satisfaction of the Commissioner of Labor and Industry that the applicant is a registered nurse, legally authorized to practice as such in New Jersey, or submit to the Commissioner letters from three medical doctors, legally practicing in the State of New Jersey certifying to the Commissioner that, in the opinion of each such doctor, the applicant is qualified to judge the qualifications of persons to be sent as help to employers in the capacity of nurses.

TABLE FOR WRITTEN EXAMINATIONS

The numbers appearing in this column identify the types of and subject for written examinations in relation to each class of occupation	Types or Classes of Occupations concerning which Applicants for Operator's Licenses must take written examinations															
	Aeronautical	Agricultural	Clerical	Commercial	Domestic	Engineering	Executive	Hotel and Restaurant	Scientific Professional	Nursing	Sales	Semi-skilled and Non-skilled	Skilled Trades	Special	Technical	Theatrical
Item 1	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Item 2	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Item 2a	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Item 2b			X	X			X	X	X		X	X	X	X	X	
Item 2c				X	X							X	X			
Item 2d						X										
Item 2e	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Item 2f						X										
Item 2g	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Item 3														X		