

## ○ PRIVATE EMPLOYMENT AGENCY LAW

*STATUTORY CITATION:* N.J. Rev. Stat. §§ 34:8-43 – 34:8-63

*RELATED REGULATIONS:* N.J. Admin. Code 13:45B, Subch. 2

*GENERAL SUMMARY:* Chapter 8 of the state labor laws includes provisions regulating the operation of employment agencies, a term broadly defined but including any business or agency which, for a fee, procures jobs for workers or provides workers for employers, whether such fee is collected from the worker or the employer. No one may perform any of the functions of an employment agency in New Jersey without first obtaining from the state an employment agency operator's license, the issuance of which, among other conditions, requires successful completion of a written examination concerning (1) the provisions of the employment agency law and the associated administrative rules, and (2) the applicant's relevant knowledge and experience. Likewise, employment agency owners must post a \$10,000 bond covering liability for damages due to misrepresentation, fraud or any unlawful act committed in the course of the licensee's business. The statute defines a multitude of prohibited activities which are grounds for license suspension, revocation or non-renewal, as well as for civil money penalties.

*PROVISIONS APPLICABLE TO AGRICULTURE:* To the extent that (1) workers' wages are paid directly by the farm operators for whom the workers' services are performed and (2) no job-finding or employment fees are charged to or collected from the workers, the employment agency law **does not apply** to anyone who furnishes seasonal field or harvest workers to farm operators.

### *ADMINISTRATION AND ENFORCEMENT*

PRIMARY ENFORCEMENT AGENCY — *Regulated Business Section, Division of Consumer Affairs, New Jersey Department of Law and Public Safety, Newark, New Jersey 07101.*

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None.*