

162.

“Employment agency” means any individual, partnership, association, corporation, contractor or subcontractor who, for a fee, procures or offers or attempts to procure employees for persons seeking the service of employees, or employment for persons, seeking employment. Theatrical employment agencies, as defined following, shall be within the purview of this subtitle. “Theatrical employment agency” means any individual, partnership, association, corporation, contractor or subcontractor who procures or attempts to procure employment or engagements for circus, vaudeville, the variety field, the legitimate theater, motion pictures, radio, television, phonograph recordings, transcriptions, opera, concert, ballet, modeling or other entertainments or exhibitions or performances, but such term does not include the business of managing such entertainments, exhibitions or performances, or the artists or attractions constituting the same, where such business only incidentally involves the seeking of employment therefor. “VISA SERVICE EMPLOYMENT AGENCY” MEANS ANY INDIVIDUAL, PARTNERSHIP, ASSOCIATION, CORPORATION, CONTRACTOR, OR SUBCONTRACTOR WHO, FOR A FEE, PROCURES, OFFERS, OR ATTEMPTS TO PROCURE ALIEN LABOR CERTIFICATIONS AND IMMIGRANT VISAS FOR INDIVIDUALS, AND WHO EITHER DIRECTLY OR INDIRECTLY PARTICIPATE IN ANY MANNER IN THE RECRUITMENT OR SUPPLY OF ANY PERSONS WHO RESIDE OUTSIDE OF THE CONTINENTAL UNITED STATES FOR EMPLOYMENT WITHIN THE CONTINENTAL UNITED STATES. THE DEFINITION OF VISA SERVICE EMPLOYMENT AGENCY DOES NOT INCLUDE ATTORNEYS AT LAW DIRECTLY ENGAGING IN THE PRACTICE OF PROCURING IMMIGRANT VISAS. Bona fide educational, religious, charitable, fraternal, and benevolent organizations in which no fee, commission, or other charge is made for services rendered other than the ordinary membership dues, bona fide labor organizations undertaking to secure or securing work for their own members, and bona fide employers’ organizations undertaking to secure or securing help for their own members are not subject to this subtitle. “Employment agency” shall not include any person conducting a business which consists of employing individuals directly for the purpose of furnishing part-time or temporary help to others.

167.

(g) Charge any applicant a registration fee or collect in advance from any applicant for employment any payment for service to be rendered to such applicant in obtaining employment, EXCEPT THAT THE COMMISSIONER OF LABOR AND INDUSTRY MAY PROMULGATE RULES AND REGULATIONS PERMITTING VISA SERVICE EMPLOYMENT AGENCIES TO COLLECT ADVANCE FEES, or

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1973.

Approved May 7, 1973.

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