

1949, Chapter 61, shall not apply to a consolidated school district created hereunder.

Application of
school statutes.

Section 13. Except as otherwise provided herein, the statutes applying to Independent School Districts shall apply to Consolidated School Districts established hereunder.

Approved March 28, 1953.

CHAPTER 94

AN ACT

[H. B. 95]

Regulating private employment agencies; establishing operating rules and regulations; defining violations and prescribing penalties; and declaring an emergency.

Be it enacted by the Legislature of the Territory of Alaska:

Section 1. DEFINITIONS. For the purposes of this Act, words and phrases shall have the following meaning:

Person. (1) "Person" means any individual, company, society, firm, partnership, association, corporation, manager, contractor, subcontractor, or their agents or employees.

Employment agency or agency. (2) "Employment agency" or "agency" means any person as defined above, engaged in the business of furnishing employment or help, or giving information as to where employment or help may be secured; or displaying any employment sign or bulletin, or, through the medium of any card, circular or pamphlet, or otherwise offering to secure employment or help

Fee. (3) "Fee" means any money received by any person or other valuable consideration, paid or promised to be paid for services rendered or to be rendered by any person conducting an employment agency under this Act.

(4) "Registration fee" means any charge made, or

attempted to be made, for registering or listing an applicant for employment.

Registration fee.

Section 2. EXEMPTIONS. Nothing in this Act shall include bona fide educational, religious, charitable, fraternal, and benevolent organizations making no charge for services, bona fide labor organizations, and government agencies.

Organizations and agencies exempted.

Section 3. PERMIT AND BOND.

(1) PROCURING AND POSTING PERMIT. No person shall open or carry on any employment agency unless he has procured a permit therefor from the Commissioner of Labor. Such permit shall be posted in a conspicuous place in the employment agency.

Permit required.

(2) APPLICATION. A written application for a permit shall be made to the Commissioner of Labor in the form prescribed by him and shall include (a) the name and address of the applicant and the street and number of the building or place where the business of the employment agency is to be conducted; (b) the businesses or occupations engaged in by the applicant for at least two years immediately preceding the date of application; and (c) the names and addresses of all persons financially interested in the operation of said business, either as partners or profit sharers therein.

Contents of application.

(3) BOND. Before any such permit may be issued, the applicant shall first furnish bond to the Commissioner of Labor in such sum and with such sureties as the Commissioner shall deem proper and necessary, but in no case less than \$1,000.00, and not more than \$10,000.00. This bond shall be a guarantee that the applicant shall fully comply with the provisions and requirements imposed by this Act and shall pay all judgments recovered against such applicant for any violations of the provisions thereof, together with such judgments and costs as may be recovered against him by any laborer, worker or appli-

Bond required.

cant for a position on account of any willful misrepresentations or for willfully deceiving any laborer or applicant for a position.

Investigation
of applicant.

(4) INVESTIGATION OF APPLICANT. Upon receipt of any application for a permit, the Commissioner of Labor may cause an investigation to be made as to the character and responsibility of the applicant and of the premises in which it is proposed to conduct the business.

Refusal of permit.

(5) REFUSAL OF PERMIT. The Commissioner of Labor, after proper notice and hearing, may refuse to grant a permit where there is reasonable ground to believe that the applicant is of unfit moral character or irresponsible. Each application shall be granted or refused within thirty days from date of filing.

Permit fee.

(6) PERMIT FEES. Accompanying the Application for a permit shall be the sum of \$10.00. All fees collected shall be remitted to the Treasurer of Alaska to be covered into the General Fund. In addition to paying this fee, all persons conducting employment agencies must comply with the provisions of the Alaska Business License Act.

Renewal of
permit.

(7) APPLICATION FOR RENEWAL. Thirty days prior to the expiration of a permit the holder must apply for renewal of his permit if the agency is to continue operation after the expiration date. The application for renewal shall contain all the data requested in the original application, but brought up to date where changes have occurred in location or ownership.

Revocation or
suspension.

(8) REVOCATION OR SUSPENSION OF PERMIT. The Commissioner of Labor may revoke or suspend any permit when it is shown that:

- (a) the permittee or his agent has violated or failed to comply with any of the provisions of this Act;
- (b) the permittee has ceased to be of good moral character.

(9) NOTICE AND HEARING. Before revoking or suspending any permit, the Commissioner of Labor shall notify, in writing, the holder of such permit of the charges against him and afford him an opportunity to be heard in person or by counsel.

Hearing required.

Section 4. LIMITATIONS UPON CONDUCTING OF EMPLOYMENT AGENCIES. No permit shall be granted to conduct an employment agency:

(a) in rooms used for living purposes;

Grounds for refusal of perm.

(b) in connection with a pool hall, bar or intoxicating liquor dispensary, or recreation center operated for profit;

(c) to a person whose permit has been revoked within three years from the date of application;

(d) to a person who is financially interested in a travel agency or who in any way benefits financially from the sale of air, steamship or bus transportation.

Section 5. OPERATION AND MANAGEMENT.

(1) REGISTER. Every employment agency shall keep a register in which shall be entered the name and address of each applicant, the date registered and the amount of fee received.

Register required.

(2) BOOKS, RECORDS, REPORTS, ETC. All registers, books, records and other papers kept pursuant to this Act in an employment agency shall be open to the inspection of the Commissioner of Labor and his agents at all reasonable times. Any true copies of such records or special reports required by the Commissioner of Labor shall be furnished within thirty days of the request.

Inspection of records.

(3) CONTRACT OR RECEIPT: CONTENTS. Every agency shall give to each applicant for employment from whom a fee is to be received a contract or receipt in which is stated:

Contract or
receipt to
employment
applicants.

(a) the name, address and telephone number of the employment agency;

(b) the name of the applicant;

(c) the name and address of the person to whom the applicant is sent for employment, and the address to which the applicant is to report for work;

(d) the amount of the fee charged and collected from the applicant;

(e) the kind of work to be performed, the wages or salary, and other conditions of employment.

Schedule of fees;
filing of.

(4) SCHEDULE OF FEES: POSTING SCHEDULE. Every person conducting an employment agency shall file with the Commissioner of Labor a schedule of fees to be charged and collected in the conduct of its business. Changes in the schedule may be made, but no change shall become effective until seven days after the date of filing thereof with the Commissioner of Labor and until posted for not less than seven days in a conspicuous place in the agency. A copy of the schedule in effect with any changes noted thereon shall be posted in a conspicuous place in the agency which is frequented by applicants for help or employment.

Posting.

Maximum fees.

(5) MAXIMUM FEES. After due notice and hearing the Commissioner of Labor shall set a maximum schedule of fees; such schedule may be reviewed biennially after due notice and hearing by the Commissioner.

Repayment
of fees.

(6) RETURN OF FEES. If the applicant paying a cash fee fails to obtain employment, the agency shall upon demand therefor, repay the amount of the fee to the applicant within 48 hours.

(7) PROHIBITED ACTS.

Prohibited acts.

(a) Sending out applicants for employment without having a bona fide request from an employer;

(b) Sending any person to any employer for the purpose of assisting or conducting any illegitimate business or practice;

(c) Placement of children in violation of the child labor laws;

(d) Dividing or offering to divide fees with any employer;

(e) Making any charge which does not conform with the schedule of fees;

(f) Making false entries in registers and records of the agency;

(g) Writing, publishing or causing to be published any false, fraudulent, or misleading information, representation, notices or advertisements concerning job opportunities;

(h) Send any applicant for employment to a place where a strike or lockout exists without so informing the applicant of the existence of such strike or lockout.

(8) RULES AND REGULATIONS. The Commissioner of Labor may promulgate rules and regulations, not inconsistent with this Act.

Additional rules
and regulations.

Section 6. EMERGENCY CLAUSE. An emergency is hereby declared to exist and this Act shall take effect immediately upon its passage and approval.

Emergency clause.

Approved March 28, 1953.

CHAPTER 95

AN ACT

[S. H. B. 114]

Imposing additional duties on United States Commissioners serving as recorders; providing for payment therefor; and establishing an effective date.