



DIVISION OF GAMBLING CONTROL

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LAW ENFORCEMENT ADVISORY

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WORK PERMITS

Business and Professions (Bus. and Prof.) Code section 19910.5 states in relevant part:

(a)(1) A person shall not be employed as a gambling enterprise employee¹, or serve as an independent agent², except as provided in paragraph (2), unless he or she is the holder of one of the following:

(A) A valid work permit issued in accordance with the applicable ordinance or regulations of the county, city, or city and county in which his or her duties are performed.

¹ Bus. and Prof. Code section 19805(m) as amended by AB 1416 (Stats. 2000, ch. 1023, § 2, urgency, eff. 9/30/00), defines "gambling enterprise employee" as "any natural person employed in the operation of a gambling enterprise, including, without limitation, dealers, floormen, security employees, countroom personnel, cage personnel, collection personnel, surveillance personnel, data processing personnel, appropriate maintenance personnel, waiters and waitresses, and secretaries, or any other natural person whose employment duties require or authorize access to restricted gambling establishment areas."

² Bus. and Prof. Code section 19805(s), also amended by AB 1416, defines "independent agent," as "except as determined by regulation, means any person who does either of the following: (1) Collects debt evidenced by a credit instrument. (2) Contracts with an owner licensee, or an affiliate thereof, to provide services consisting of arranging transportation or lodging for guests at a gambling establishment."

(B) A work permit issued by the commission.

The Division of Gambling Control (Division) has become aware that some gambling establishments are allowing employees to begin working prior to receiving a valid work permit. It is the responsibility of the gambling establishment owner to ensure that all employees hold a valid work permit prior to commencing employment. It is not acceptable that an application has been filed with the appropriate local agency or with the Division. The employee cannot begin work until the background investigation is completed and a work permit has been issued.

Bus. and Prof. Code section 19915(a)³ states in relevant part:

"The responsibility for the employment and maintenance of suitable methods of operation rests with the owner licensee, and willful or persistent use or toleration of methods of operation deemed unsuitable by the

³ Pending the Governor's issuance of an executive order declaring the California Gambling Control Commission is prepared to assume its responsibilities, Bus. and Prof. Code section 19915 continues in effect. (Stats. 1997, ch. 867, § 66.5.) Thereafter, virtually identical guidance will be provided by Bus. and Prof. Code section 19915A.

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division or by local government shall constitute grounds for license revocation or other disciplinary action.”

Be advised that employment of persons who do not possess a valid work permit constitutes an unsuitable method of operation.

For more information regarding this advisory, contact the California Department of Justice, Division of Gambling Control, at (916) 263-3408.