

LABOR DEPARTMENT:

Under Section 13190 R. S. Mo. 1929, person operating theatrical agency can be required to pay license fee.

13190 R.S. Mo. 1929

October 13, 1933.



Miss Mary Edna Cruzen,
Commissioner of Labor,
Jefferson City, Missouri.

Dear Miss Cruzen:

We are acknowledging receipt of your letter in which you inquire as follows:

"Has the Labor and Industrial Inspection Department the right to collect license fee of \$50.00 for agencies in cities or over fifty thousand, and \$25.00 for agencies in cities less than fifty thousand from theatrical agencies who do booking and hiring of theatrical talent?"

As I am holding up a number of requests for this information, I would appreciate an opinion as soon as it is convenient for you to give same to me."

Section 13190 R.S. Mo. 1929, provides as follows:

"No person, firm or corporation in this state shall open, operate or maintain an employment office or agency for hire, or where a fee is charged to either applicants for employment or for help, without first obtaining a license for the same from the state commissioner of labor and industrial inspection. Such license fee in cities of fifty thousand population and over shall be fifty dollars per annum, and in all cities containing less than fifty thousand population, a uniform fee of twenty-five dollars per annum. Every license shall contain a designation of the city, street and number of the building in which the licensed party conducts said employment agency. * * *"

You inquire whether or not you have a right to collect a license fee under the foregoing Section from theatrical agencies who do a booking and hiring of theatrical talent. Section 13190, R. S. Mo. 1929, provides that no person shall maintain an employment agency for hire or where a fee is charged to either applicants for employment or for help, without first obtaining a license, and provides what rate the license shall be. We believe that the above Section is broad enough to include within its terms theatrical agencies who maintain an office and

Miss Mary Edna Gruzen,

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charge a fee for applicants for employment. The Section makes no distinction between the kind of labor or employment which the agency seeks to furnish. This Chapter is for the benefit of those seeking employment less they be taken advantage of by unscrupulous agencies or bureaus. The evil sought to be corrected might as easily exist in agencies dealing with the employment of actors, etc., as other persons. The statute, however, makes no distinction, and because of the broad wording of the statute we are of the opinion that you would be within your rights to collect a license fee under said Section from persons maintaining an employment office and charging fees to applicants, even though the employment sought to be affected was the booking and hiring of theatrical talent.

Very truly yours,



Assistant Attorney General.

APPROVED:

Attorney General.

FWH:S