

application is subsequently accepted, the refund shall be retroactive to the date the employee was placed on the employer's payroll.

(b) An employer certificate, if issued, shall specify—

(1) the number of certified employees authorized to be employed at any one time, which shall not exceed 25 per centum of an employer's total labor force; and

(2) the effective date and the expiration date of the certificate.

Such certificate shall be in the form prescribed by the Administrator.

DURATION OF CERTIFICATES

SEC. 9. (a) The duration of employer certificates shall be one year, renewable upon finding of continued eligibility by the Administrator. In the event an employer chooses not to renew a certificate, he shall continue in the program until all employees hired under the previously existing certificate have completed the duration of their certificates.

(b) There shall be the following two classes of employee certificates:

(1) A six-month certificate for nonskilled occupations.

(2) A one-year certificate for skilled occupations.

The local office of the United States Employment Service shall issue a qualified individual a certificate of eligibility prior to his employment. After the certified individual is employed, the local office shall determine on the basis of his occupation whether his certificate shall have a duration of six months or one year.

(c) Not more than one employee certificate shall be issued under this Act to any individual and such certificate shall be nonrenewable.

EQUAL OPPORTUNITY

SEC. 10. No certified employer shall discriminate on account of race, color, religion, or national origin in the employment of certified employees.

ENFORCEMENT

SEC. 11. (a) The provisions of this Act relating to employer certificates and the distribution of the refund and all regulations pertaining thereto shall be enforced by the Administrator. He shall conduct investigations of possible violations of employer certificates upon—

(1) a complaint by either an employee or an employer under a certificate, or

(2) a complaint by a competitor of a certified employer, or of an experienced worker who claims to have lost employment or to be unable to obtain employment because of competition from certified employees.

(b) The provisions of this Act relating to employee certificates, their issuance, and all regulations adopted under these provisions shall be enforced by the Director of the United States Employment Service (hereafter in this Act referred to as the "Director"). He shall conduct investigations of possible violations of employee certificates upon—

(1) a complaint by either a certified employee or employer, or

(2) a complaint by an experienced worker who claims to have lost employment or to be unable to obtain employment because of competition from certified workers.

(c) If after notice and hearing the Administrator or Director finds that there has been a violation of the provisions of this Act, or regulations thereunder, the Administrator, in the case of an employer, and the Director, in the case of an employee, shall cancel the certificate issued under this Act, and deny the privilege of obtaining a new certificate for such period as the Administrator or the Director, as the case may be, shall determine.

ADMINISTRATION

SEC. 12. (a) The Administrator shall administer the provisions of this Act relating to employer certificates and payment of the refund.

(b) The Director shall administer the provisions of this Act relating to employee certificates.

(c) The Administrator and the Director are authorized to establish such rules and regulations as are necessary and appropriate to carry out their respective functions under this Act.