

THE CITY OF NEW YORK DEPARTMENT OF CONSUMER AFFAIRS
Office of Labor Policy and Standards
DEDUCTIONS LAW: REGISTRATION APPLICATION REVIEW CHECKLIST

Tools:

- Application materials; websites of the National Labor Relations Board, United States Department of Labor Office of Labor-Management Standards and Internal Revenue Service; and publicly available information

Instructions:

- Checklist should be completed prior to grant of registration letter pursuant to NYC Code § 20-1303

			NYC Code, Title 20	RCNY, Title 6
1	<p>Registration Application received:</p> <p>Applicant is a “not-for-profit” (“NFP”) entity that is organized under the Not-for-Profit Corporation Law or the law governing incorporation of not-for-profit organizations in the jurisdiction of incorporation.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	20-1301	
2	<p>Registration Applicant is not a “Labor Organization.”</p> <p>A labor organization is: “any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work,” as such definition is interpreted by the National Labor Relations Board.</p> <ul style="list-style-type: none"> • Applicant is not registered with the Internal Revenue Service as a labor organization. _____ • Applicant has not been determined by the National Labor Relations Board to be a labor organization. _____ • Applicant has not been identified as a labor organization by the United States Department of Labor’s Office of Labor-Management Standards. _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No	20-1310	
3	<p>Registration Application contains:</p> <p>The NFP’s name, physical address, email address, web address, if any, and phone number of the NFP and a contact.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	20-1303(a)(1)	
4	<p>Registration Application contains:</p> <p>Proof of status as an NFP that has not been suspended or dissolved pursuant to the laws of the state of its incorporation.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	20-1303(a)(2)	
5	<p>Registration Application includes:</p> <ul style="list-style-type: none"> • Facially valid written authorizations from at least 500 fast food employees (may be from employees of different fast food employers). • Each authorization contains: <ol style="list-style-type: none"> (1) The fast food employee’s signature. _____ (2) The fast food employee’s name and physical address. _____ (3) The amount, frequency and start date of the contribution. _____ (4) The name, physical address, email address, web address, if any, and phone number of the NFP and a contact for an employee who seeks to revoke authorization. _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No	20-1303(a)(3) 20-1302(a)(1)-(5)	

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	(5) A statement notifying the fast food employee that contributions are voluntary and that the authorization to deduct is revocable at any time by submitting a written revocation to the not-for-profit. _____			
6	<p>Registration Application contains:</p> <ul style="list-style-type: none"> • Proof that the NFP has provided relevant fast food employees with: <ol style="list-style-type: none"> (1) The NFP’s contact info: <ol style="list-style-type: none"> a. Name _____ b. Contact _____ c. Physical address _____ d. Email address _____ e. Web address (if any) _____ f. Phone number _____ (2) Information about the NFP’s governance (officers, directors, members or shareholders) and employees, including a list of individuals, their names and titles, who performed work for the not-for-profit within the 5 years preceding the date that the fast food employee signed the authorization and who also either (i) are or were trustees of the not-for-profit, or (ii) receive(d) more than \$100,000 in compensation from the not-for-profit or a related organization in any single fiscal year. _____ (3) Information about the NFP’s mission, programs and areas of focus; (4) Information about the NFP’s finances (funding sources, budget and expenditures), including, for the three most recent tax years, the NFP’s IRS Form 990, or other equivalent tax filing if no 990 was filed. _____ (5) A statement that labor organizations as defined by the national labor relations act, employee organizations as defined by subdivision 5 of section 201 of the civil service law, and labor organizations as defined in subdivision 5 of section 701 of the labor law are not permitted to seek remittances under this chapter pursuant to subdivision b of section 20-1310. _____ <p>Acceptable forms of proof:</p> <ol style="list-style-type: none"> (1) Screenshot of webpage showing disclosures during range of authorization signature dates. _____ (2) Signed/dated written acknowledgments of receipt of disclosures, and copy of written disclosures provided. _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No	20-1303(a)(4); 20-1304	6 RCNY 7-705(b) and (c), 706(d)
7	<p>Registration Application includes:</p> <ul style="list-style-type: none"> • Copies of the NFP’s IRS Form 990, or other equivalent tax filing for the three most recent tax years for which such form was filed. 	<input type="checkbox"/> Yes <input type="checkbox"/> No	20-1303(a)(5)	
8	<p>Registration Requirements Met?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	20-1303(b)	6 RCNY 7-706(e)