



**Consumer
Affairs**

THEATRICAL EMPLOYMENT AGENCY RENEWAL SELF-CERTIFICATION

Compliance with Theatrical Employment Agency Laws

Note: This Self-Certification is for agencies that place or attempt to place artists in theatrical engagements only. If you place or attempt to place job applicants in any other type of employment, you must complete the “Employment Agency Renewal Self-Certification” instead.

If you have not previously submitted to DCA a Theatrical Employment Agency Self-Certification or your agency has undergone a change in ownership, you must complete the *full* Theatrical Employment Agency Self-Certification, which is available at nyc.gov/BusinessToolbox.

The owner (e.g., sole proprietor, general partner, director, corporate officer, or shareholder owning 10% or more of company stock) of your agency must complete this form.

Legal Name of Business:	
Business’s Trade or Doing-Business-As (DBA) Name, if applicable:	
DCA License Number:	
Employment Agency Address: <i>(Building Number, Street Name, Unit, e.g., Floor, Suite)</i>	
Name of Owner: <i>(e.g., sole proprietor, general partner, director, corporate officer, or shareholder owning 10% or more of company stock)</i>	

I certify the following:

1. I am authorized (e.g., owner, sole proprietor, general partner, director, corporate officer, or shareholder owning 10% or more of company stock) to complete and sign this Theatrical Employment Agency Renewal Self-Certification on behalf of the business named on page 1.
2. I am responsible for complying with the following laws and rules:
 - Article 11 of the New York General Business Law (GBL) beginning at Section 170
 - Article 37 of the Arts and Cultural Affairs Law (ACA) beginning at Section 37.01
 - Title 20 of the New York City Administrative Code (Code) at Chapter 1 beginning at Section 20-101 and Chapter 5 Sections 20-700 to 20-706 and 20-770 to 20-774
 - Title 6 of the Rules of the City of New York (6 RCNY) at Chapter 1 beginning at Section 1-01 and Chapter 5 Sections 5-06 to 5-12, 5-21, 5-24, and 5-241 to 5-258
 - Title 8 of the Code Sections 8-102, 8-107, and 8-107.1
 - Title VII of the Civil Rights Act of 1964 beginning at Section 2000e [Section 701]
 - Executive Law Article 15 Human Rights Law Sections 292, 296, and 296-b
 - All relevant federal, state, and City laws which apply to my business

I can access the above laws and rules via nyc.gov/BusinessToolbox.

3. I am responsible for knowing and complying with the most current laws, including any amendments and updates made to the laws that are relevant to my business. **I have completed Appendix A, which includes recent amendments to the Employment Agency Laws.**
4. **YOU MUST CHECK A OR B.**

- A. I, or a current Employment Agency owner, previously completed the full Theatrical Employment Agency Self-Certification, and all of the responses remain true and accurate.
- B. I, or a current Employment Agency owner, previously completed the full Theatrical Employment Agency Self-Certification, and all of the responses remain true and accurate except for the changes described below.

If you checked B, you must provide an explanation of the changes in the space below.

Reminder: If you had a change in ownership, you must complete the *full* Theatrical Employment Agency Self-Certification at nyc.gov/BusinessToolbox.

APPENDIX A: RECENT AMENDMENTS TO THE EMPLOYMENT AGENCY LAWS

Section 4: Contracts, Job Summaries, and Receipts

GBL Section 181

ACA Section 37.03

6 RCNY Section 1-05

Contracts

- I understand that the contract must be a separate document from any other form I give to artists. I will not combine the contract with a job application form.
- I will give each artist a contract with conditions and provisions that are equitable between the parties, do not unreasonably restrict business, and include all of the following:
 - Sections 185 and 186 of the GBL AND
 - The word "Contract" written or printed clearly at the top AND
 - Name, address, telephone number, and DCA license number of my agency AND
 - Name of the artist AND
 - Type of services covered by the contract AND
 - Gross commission or fees to be paid by the artist to my agency AND
 - All terms and conditions associated with the payment of the commission or fees AND
 - Notice in 12 point or larger boldface type printed directly above the space reserved in the contract for the applicant's signature stating:

NOTICE TO JOB APPLICANT – READ BEFORE SIGNING

Do not sign this contract before you have read it or if any spaces are left blank. The employment agency must give you a signed copy of this contract at the time you sign it.

AN EMPLOYMENT AGENCY MAY NOT CHARGE YOU, THE JOB APPLICANT, A FEE BEFORE REFERRING YOU TO A JOB THAT YOU ACCEPT. IF YOU PAY A FEE BEFORE ACCEPTING A JOB OR PAY A FEE THAT OTHERWISE VIOLATES THE LAW, YOU MAY DEMAND A REFUND, WHICH SHALL BE REPAID WITHIN SEVEN DAYS. IF YOU HAVE A COMPLAINT OR NEED MORE INFORMATION, CALL 3-1-1.

Job Summaries

- I understand that the job summary must be separate from any other form I give to artists. I will not combine the job summary with the contract or any other form.
- I will give each artist, at the time of each audition or interview for specific employment, in written or electronic form, a summary of information related to the audition or interview, including all of the following:
 - Name and address of the person to whom the artist is to apply for such employment AND
 - Service to be performed AND
 - Anticipated rate of compensation AND

- All material terms and conditions of employment known by my agency prior to the audition or interview

Receipts (Check A or B.)

- A. I will use DCA’s model receipt as my agency’s receipt and give a receipt to each job applicant who pays a fee as confirmation of payment. The model receipt is available for download at nyc.gov/BusinessToolbox. I am responsible for using the most current version of this receipt, and I will regularly check DCA’s website for updates.

- B. I will not use DCA’s model receipt, but will give each job applicant who pays a fee a receipt that is substantially similar to DCA’s model receipt and will include all of the following:
 - The word “Receipt” written or printed clearly at the top AND
 - Name of the job applicant AND
 - Name, address, and DCA license number of my agency AND
 - Date and amount of the fee AND
 - Reason for the fee AND
 - Signature, printed name, and title of the person receiving the fee or other charge on behalf of my agency AND
 - Notice, set off in a box and printed directly above the signature of the person receiving payment, in 12 point or larger boldface capital letters that states:

A THEATRICAL EMPLOYMENT AGENCY MAY NOT CHARGE YOU, THE ARTIST, A FEE BEFORE REFERRING YOU TO A JOB THAT YOU ACCEPT. A THEATRICAL EMPLOYMENT AGENCY MAY CHARGE YOU, THE ARTIST, A FEE AFTER AN AGENCY REPRESENTS YOU IN THE NEGOTIATION OR RENEGOTIATION OF AN ORIGINAL OR PRE-EXISTING EMPLOYMENT CONTRACT. IF YOU PAY A FEE THAT OTHERWISE VIOLATES THE LAW, YOU MAY DEMAND A REFUND, WHICH SHALL BE REPAYED WITHIN SEVEN DAYS. IF YOU HAVE A COMPLAINT OR NEED MORE INFORMATION, CALL 3-1-1.

Maintenance of Contracts, Job Summaries, and Receipts

- I will maintain at my agency and have available for inspection by DCA all completed contracts, job summaries, and receipts I issued for three years.