EMPLOYMENT AGENCY RENEWAL
SELF-CERTIFICATION
Compliance with Employment Agency Laws

Note: If you place or attempt to place job applicants in theatrical engagements (e.g., actors, singers, models, directors, writers, musicians), you must complete the “Theatrical Employment Agency Renewal Self-Certification” instead.

If you have not previously submitted to DCA an Employment Agency Self-Certification or your agency has undergone a change in ownership, you must complete the full 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.

<table>
<thead>
<tr>
<th>Legal Name of Business:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Business’s Trade or Doing-Business-As (DBA) Name, if applicable:</td>
<td></td>
</tr>
<tr>
<td>DCA License Number:</td>
<td></td>
</tr>
<tr>
<td>Employment Agency Address:</td>
<td>(Building Number, Street Name, Unit, e.g., Floor, Suite)</td>
</tr>
<tr>
<td>Name of Owner:</td>
<td>(e.g., sole proprietor, general partner, director, corporate officer, or shareholder owning 10% or more of company stock)</td>
</tr>
</tbody>
</table>
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 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
   - 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 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 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 Employment Agency Self-Certification available at nyc.gov/BusinessToolbox.
5. If any of the information in this Employment Agency Renewal Self-Certification changes, the employment agency will inform DCA of those changes in writing.

FAILURE TO RETURN OR FULLY COMPLETE SELF-CERTIFICATION:

If you do not return or fully complete this Employment Agency Renewal Self-Certification or a full Employment Agency Self-Certification (if you did not submit one previously or your agency had a change in ownership), DCA may deny your license.

PENALTY FOR FALSE STATEMENTS:

By signing below, I certify that the statements in this Employment Agency Renewal Self-Certification, including Appendix A, are true, correct and complete. I understand that falsification of any statement made herein is an offense punishable by a fine or imprisonment or both.

*If you submit this form as an electronically filled-in PDF, you may type your name in the signature field.*

__________________________________________  __________________________________________
Signature                                      Print Name

__________________________________________  __________________________________________
Print Position/Title                          Date

Please submit the signed original to DCA and make a copy for your records.

All laws and rules of the City of New York, including the New York City Consumer Protection Law and Rules, are accessible via [nyc.gov/dca](http://nyc.gov/dca). For convenience, sections of relevant New York State Law and/or New York City Law and Rules are also accessible at [nyc.gov/BusinessToolbox](http://nyc.gov/BusinessToolbox).
APPENDIX A: RECENT AMENDMENTS TO THE EMPLOYMENT AGENCY LAWS

Section 4: Contracts, Statements of Terms and Conditions, and Receipts
GBL Section 181
6 RCNY Section 1-05

Contracts

☐ I understand that the contract must be a separate document from any other form I give to job applicants. I will not combine the contract with a job application form.

(Check A or B.)

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

B. ☐ I will not use DCA’s model contract, but will give each job applicant a contract that is substantially similar to DCA’s model contract and will 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 individual executing the contract on behalf of my agency AND
☐ Name of the job applicant AND
☐ Name, address, mailing address, and telephone number of the employer AND
☐ Anticipated rate of wages or compensation, anticipated hours of work per day and number of days to be worked per week AND
☐ Fee the job applicant will pay to my agency based on the anticipated wages or compensation AND
☐ Any provision to the employee and costs associated with such provision AND
☐ Anticipated period of employment and whether it is permanent or temporary AND
☐ Type of work the job applicant will perform AND
☐ Name and address of the person authorizing the hiring of the applicant AND
☐ Payment schedule 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
Statements of Terms and Conditions

☐ I understand that the statement of terms and conditions must be a separate document from any other form I give to job applicants. I will not combine the statement of terms and conditions with the contract or the job applicant form.

☐ I understand that I have to use DCA’s model statement of terms and conditions as my agency’s statement of terms and conditions and give a copy to each job applicant who executes a contract for my services. The model statement of terms and conditions is available for download at nyc.gov/BusinessToolbox. I am responsible for using the most current version of this document, and I will regularly check DCA’s website for updates.

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 deposit, fee, or other charge on behalf of my agency AND
☐ Notice, set off in a box located and printed directly above the signature of the person receiving payment, in 12 point or larger boldface capital letters that states:

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.
Maintenance of Contracts, Statements of Terms and Conditions, and Receipts

☐ I will maintain at my agency and have available for inspection by DCA all completed contracts, statements of terms and conditions, and receipts I issued for three years.

Section 13: Fees and Refunds
GBL Sections 185, 186, and 187
6 RCNY Section 1-05

Prohibited Conduct

I will not engage in any of the following prohibited conduct:

☐ Require job applicants to pay for or subscribe to any service other than for job placement (e.g., uniforms, setting up interviews, reviewing résumés, photographs, website listings, trainings, publications, advertising)

☐ Charge registration fees

☐ Charge advance and/or deposit fees

☐ Collect fees greater than the maximum amount allowed according to the fee schedules provided for each Class of employment

☐ Impose a fee payment schedule that requires a job applicant employed in the continental United States and paid weekly to pay at a rate greater than:
  ▪ 10 equal weekly installments payable at the end of each of the first 10 weeks of employment
    OR
  ▪ (if paid less frequently) 5 equal installments payable at the end of the first 5 pay periods
    OR
  ▪ within a period of 10 weeks, whichever period is longer

Refunds

I will provide refunds in all of the following circumstances:

☐ I will return immediately any amount I collect above the maximum fee.

☐ If the applicant accepts employment and does not report to work, I will return immediately any portion of the fee the applicant is due.

☐ If the applicant is employed and is later terminated for any reason, I will return immediately any portion of the fee the applicant is due.

☐ If a court or the Office of Administrative Trials and Hearings (OATH) orders my agency to provide a refund, I will provide a refund.