

EMPLOYMENT AGENCY SELF-CERTIFICATION

Compliance with Employment Agency Laws

This Self-Certification includes four parts:

- PART I (general information)
- PART II (information about Employment Agency Manager)
- PART III (relevant laws and rules and checklists)
- PART IV (signature and penalty for false statements)

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 Self-Certification” instead. This form is available at nyc.gov/BusinessToolbox.

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

If the owner is not also the Employment Agency Manager, then the Employment Agency Manager must complete and certify PART II.

PART I

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

I certify the following:

1. I am authorized (e.g., owner, sole proprietor, general partner, director, corporate officer, member, or shareholder owning 10% or more of company stock) to complete and sign this Employment Agency Self-Certification on behalf of the business named on page 1.
2. I have read and understand that 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 5-259
 - 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 understand that I can access the above laws and rules via **nyc.gov/BusinessToolbox**. (Scroll to section "Important Information for Certain Business Types" and select Employment Agencies.)

3. I understand that 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.

PART II

Information about Employment Agency Manager

Employment Agencies must have an Employment Agency Manager who is responsible for directing and operating the placement activities of the employment agency. This person can be the owner. **The person (either the owner or another individual) who will act as the agency's manager must complete and certify Part II.**

The Department of Consumer and Worker Protection (DCWP) will consider this Self-Certification incomplete if you do not complete and certify PART II.

Practical Experience: State your experience as a placement employee, vocational counselor, or in related activities that indicate your competence to operate the placement activities of this agency. Attach additional papers as necessary.

Name of Employer	Address	Telephone	Start/End Dates	Position and Duties

Educational Experience:

Name of School	Address	Start/End Dates	Type of Coursework / Degree / or Certification Obtained

While you previously managed, owned, operated, or had a financial interest in an employment agency, was the agency's license denied, suspended, or revoked by the New York City Department of Consumer and Worker Protection (DCWP, formerly Consumer Affairs, DCA) or by the New York State Department of Labor?

☐ Yes

☐ No

If you answered Yes, please enter requested information below.

Legal Name of Employment Agency:	
Employment Agency Address: <i>(Building Number, Street Name, Unit, e.g., Floor, Suite)</i>	
DCWP License Number:	
Relationship to Business:	

By signing below, I, the Employment Agency Manager, certify that the statements in PART II are true and correct.

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

PART III

This part of the Self-Certification covers New York State and City laws relevant to employment agencies. Please read each section carefully. Included in each section are checklists. You must check each requirement that applies to your agency to certify that you understand and will comply with the requirement.

Important: If you submit an incomplete Self-Certification, your application will be denied or DCWP may request additional information.

Section 1: Classes of Employment and Fee Structure

GBL Section 185

I will place or attempt to place job applicants in the following Classes of employment:

- ☐ **Class A (Check all that apply to your business.)**
 - ☐ Domestics; household employees; unskilled or untrained manual workers and laborers, including agricultural workers recruited in New York State
 - ☐ Domestic or household employees recruited from other states, not including Alaska and Hawaii
 - ☐ Domestic or household employees recruited from Alaska, Hawaii, and other countries
 - ☐ Domestic dayworkers whom the agency transports to the place of employment and provides at least one meal at no charge to the employee
- ☐ **Class A1** (non-professional trained or skilled industrial workers or mechanics)
- ☐ **Class B** (commercial, clerical, executive, administrative, and professional employment; all employment outside the continental United States; and all other employment not included in classes A, A1, C [theatrical engagements], and D)
- ☐ **Class D** (nursing engagements)

I will collect fees for my services from:

- ☐ **Job applicants**
- ☐ **Employers**

Section 2: Agency Name and Printed Matter

GBL Section 187(3) and 187(11)
6 RCNY Section 1-05

- ☐ I will not use a name or display signs and advertisements with a name that may be confused with the name of a government agency.
- ☐ I will include in all contracts, receipts, application forms, advertisements, letterhead, correspondence, business cards, and other printed matter all of the following:
 - ☐ My agency's DCWP license number AND
 - ☐ My agency's name and address AND
 - ☐ The word "agency"

Section 3: Contracts, Statements of Terms and Conditions, and Receipts

GBL Section 181
6 RCNY Sections 1-05 and 5-259

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 DCWP'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 DCWP's website for updates.
- B. ☐ I will not use DCWP's model contract, but will give each job applicant a contract that is substantially similar to DCWP'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 DCWP 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 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.

Note: If your agency charges fees to employers rather than job applicants, please check off the fee requirement above and include language in your contract that your business will not charge job applicants a fee.

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 must use DCWP's Terms and Conditions template 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 Terms and Conditions template 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 DCWP's website for updates.
- ☐ I understand that my agency must provide to each job applicant a statement of terms and conditions in the language in which the applicant's contract was negotiated, provided DCWP has made a template available in that language.

Receipts (Check A or B.)

- A. ☐ I will use DCWP'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 DCWP's website for updates.
- B. ☐ I will not use DCWP's model receipt, but will give each job applicant who pays a fee a receipt that is substantially similar to DCWP'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 DCWP 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
- ☐ *(if the job applicant has been recruited from outside of New York State for domestic or household employment)* A copy of Section 184 of the GBL AND
- ☐ A 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 DCWP all completed contracts, statements of terms and conditions, and receipts I issued for three years.

Section 4: Application Forms

GBL Section 187(3)
6 RCNY Sections 1-05, 1-16, and 5-248

- ☐ I understand that an application form must be a separate document that I cannot combine with my agency's contract. I will give a copy of the completed job application form to each job applicant who applies for my services.
- ☐ My agency's job application form will include all of the following:
 - ☐ The words "Application Form" written or printed clearly at the top AND
 - ☐ Name of the job applicant AND
 - ☐ Name, address, telephone number, and DCWP license number of my agency AND
 - ☐ The word "agency"
- ☐ My agency's job application form will not directly or indirectly inquire about a job applicant's age, race, creed, color, national origin, religion, sex, sexual orientation, disability, predisposing genetic characteristics, marital status, or status as a victim of domestic violence, sex offence, or stalking. If the application form directly or indirectly inquires about any of this information, the form will also clearly state how the information relates to a legitimate job qualification.
- ☐ I will maintain at my place of business and have available for inspection by DCWP all completed job application forms I issued for three years.
- ☐ Section 4 does not apply to my agency because my agency will not use an application form.

Section 5: Domestic or Household Employees: Statement of Employee Rights and Employer Responsibilities

Code Section 20-771

- ☐ I will place job applicants as Class A domestic or household workers and will give each applicant DCWP's "Domestic or Household Employees: Statement of Employee Rights and Employer Responsibilities." The statement is available for download at **nyc.gov/BusinessToolbox**.
- ☐ I will maintain at my agency and have available for inspection by DCWP, for three years, proof that I issued a statement to each applicant I placed as a Class A domestic or household worker.
- ☐ Section 5 does not apply to my agency.

Section 6: Cards to be Furnished to Nurses and Nurses' Registry

GBL Section 182

- ☐ I will place job applicants in Class D nursing engagements and will give to each applicant I place a card that includes all of the following:
 - ☐ The applicant's name, address, and salary AND
 - ☐ Whether the applicant is a registered professional nurse or licensed practical nurse AND
 - ☐ The number of the current registration certificate issued to the applicant by the education department AND
 - ☐ A statement that the applicant's record of educational qualifications and experience in the practice of nursing is on file in my agency's registry and that a copy will be sent to the employer upon request AND
 - ☐ Name, address, and DCWP license number of my agency AND
 - ☐ The word "agency"
- ☐ I will maintain at my agency and have available for inspection by DCWP a nurses' registry of all applicants I send to practice nursing. The registry will include all of the following:
 - ☐ A record of my agency's investigation and verification of an applicant's educational qualifications, licensure, and current registration AND
 - ☐ At least two current written references for the applicant AND
 - ☐ A copy of every card I give to an applicant
- ☐ Section 6 does not apply to my agency.

Section 7: Job Orders and Registers

GBL Sections 179 and 187

- ☐ I will only send or refer job applicants to job openings that are currently available.
- ☐ I will maintain at my agency and have available for inspection by DCWP for three years from the date of the last entry an Employer Register and a Job Applicant Register. Entries will be in the English language and may be maintained electronically.
- ☐ The Employer Register will include all of the following:
 - ☐ Name and address of every employer who pays a fee AND
 - ☐ Name and address of every employer to whom I refer any applicant paying a fee AND
 - ☐ Date each employer requested or agreed to the supply of applicants AND
 - ☐ Kind of positions for which applicants are requested AND
 - ☐ Names of the applicants paying a fee who were sent to the employer, including a designation of the applicant hired AND
 - ☐ Amount of the fee charged AND
 - ☐ Rate of wages or compensation agreed upon
- ☐ The Job Applicant Register will include all of the following:
 - ☐ Date of application for employment AND
 - ☐ Date the applicant started work AND
 - ☐ Name and address of every applicant who is charged a fee AND
 - ☐ Amount of the fee charged AND
 - ☐ Service for which the fee was charged

Section 8: Premises

GBL Section 187

6 RCNY Section 5-245

(Check A, B, or C.)

- A. ☐ I will not operate my agency in the same space as another business.
- B. ☐ I will operate my agency in the same space as an unrelated business and will comply with all of the following requirements:
 - ☐ My agency's signs will make clear that my agency is a separate business. AND
 - ☐ My agency will be separated from the other business by a partition or wall or other barrier. AND
 - ☐ My agency will not directly or indirectly suggest to a job applicant that the applicant purchase the services or products of the other business. AND
 - ☐ My agency will not share proceeds or profits in any form with the other business. AND

- ☐ My agency will not have any officers, directors, partners, shareholders, principals, managers, executives, administrators, salespersons, or job placement counselors in common.
- C. ☐ I will operate my agency in the same space as a related employment agency and will make sure my agency complies with all of the following requirements:
- ☐ My agency's signs will make clear that my agency is a separate business. AND
 - ☐ My agency will be separated from the other business by a partition or wall or other barrier. AND
 - ☐ The related employment agency will only engage in the business of operating an employment agency. AND
 - ☐ My agency will not directly or indirectly suggest to a job applicant that the applicant purchase the services or products of the other business. AND
 - ☐ My agency will maintain separate contracts, receipts, application forms, registers, advertisements, letterhead, correspondence, business cards, and all other records and printed matter from the other employment agency.

Section 9: Signs

GBL Sections 174 and 188

6 RCNY Sections 1-03 and 5-250

Sec. 2000e-10 [Section 711] of Title VII of the Civil Rights Act of 1964

Executive Law Article 15. Human Rights Law

- ☐ I will post all of the signs listed below in the reception or waiting area or, if no waiting area, the main entrance to the agency where all applicants can see them.
 - ☐ DCWP's combined license and complaint sign provided by DCWP
 - ☐ New York Employment Agencies Law poster containing Sections 178, 181, 185, and 186 of the New York General Business Law in the languages in which my agency does business
*Note: You can get copies of the poster in English at the DCWP Licensing Center and in 11 languages online at **nyc.gov/BusinessToolbox**.*
 - ☐ DCWP's Job Hunter's Bill of Rights sign provided by DCWP
*Note: You can get copies of the sign in English and Spanish online at **nyc.gov/BusinessToolbox**.*
 - ☐ U.S. Anti-Discrimination Poster provided by DCWP
 - ☐ New York State Anti-Discrimination Poster provided by DCWP

Section 10: Advertisements

GBL Section 187
Code Section 20-700

- ☐ I will not print or distribute any false, fraudulent, or misleading information, representation, promise, notice, or advertisement. Advertisements include, but are not limited to, promotional materials, mailings, flyers, handouts, brochures, business cards, classified ads, text messaging, social media, and print, television, Internet, or radio advertisements.
- ☐ I will not advertise that I can “guarantee” jobs or placement.
- ☐ I will not advertise “no fee.”
- ☐ I will not post any signs, notices, or advertisements at my agency stating I “guarantee” jobs or placement, “no fee,” or any other false, fraudulent, or misleading information and representation.

Section 11: Prohibited Discriminatory Practices

6 RCNY 5-248
Title VII of the Civil Rights Act of 1964
Executive Law Article 15. Human Rights Law Section 296
Title 8 of the Code, Chapter 1 Sections 8-107 and 8-107.1

- ☐ I will not discriminate against any job applicant because of age, race, creed, color, national origin, religion, sex, sexual orientation, military status, disability, predisposing genetic characteristics, marital status, or status as a victim of domestic violence, sex offence, or stalking when providing my services, including, but not limited to, referring applicants to employers.
- ☐ I will not directly or indirectly inquire about a job applicant’s age, race, creed, color, national origin, religion, sex, sexual orientation, disability, predisposing genetic characteristics, marital status, or status as a victim of domestic violence, sex offence, or stalking. If I directly or indirectly inquire about any of this information, I will also clearly state how the information relates to a legitimate job qualification.
- ☐ I will not print or circulate any statement, advertisement, or publication, or use an application form that requires, directly or indirectly, a job applicant’s age, race, creed, color, national origin, religion, sex, sexual orientation, disability, predisposing genetic characteristics, marital status, or status as a victim of domestic violence, sex offence, or stalking. If I print or circulate any statement, advertisement, or publication that directly or indirectly inquires about any of this information, the statement, advertisement, or publication will also clearly state how the information relates to a legitimate job qualification.

Section 12: 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 five 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 NYC Office of Administrative Trials and Hearings (OATH) orders my agency to provide a refund, I will provide a refund.

Section 13: Collection of Fees (For Class A, A1 Placements Only)

GBL Sections 184 and 185

You must complete this section if you place or attempt to place job applicants in Class A types of employment.

- ☐ I will not collect fees from job applicants seeking placement in Class A and/or Class A1 types of employment until after I have made a referral and as a result of the referral the applicant is employed.

Class A

- ☐ **Domestics; household employees; unskilled or untrained manual workers and laborers, including agricultural workers recruited in New York State**

- ☐ The gross fee, including any advance or deposit, I charge will not exceed the following as a percentage of the first full month's salary or wages:

▪ where no meals or lodging are provided	10%
▪ where one meal per workday is provided	12%
▪ where two meals per workday are provided	14%
▪ where three meals and lodging per workday are provided	18%

- ☐ When the placement is for a period shorter than one month, the gross fee I charge will not exceed 10%, 12%, 14%, or 18%, respectively, of the salary or wages actually paid.

- ☐ **Domestic or household employees recruited from other states, not including Alaska and Hawaii**

- ☐ The agency will not require an applicant to pay fees or charges at a rate greater than in four (4) equal installments payable at the end of the first, second, third, and fourth weeks of employment. The agency fee will not be greater than the following as a percentage of the first full month's salary:

▪ where no meals or lodging are provided	15%
▪ where one meal per workday is provided	18%
▪ where two meals per workday are provided	21%
▪ where three meals and lodging per workday are provided and where the first full month's salary or wages is:	
○ less than \$130	26%
○ at least \$130 but less than \$150	28%
○ at least \$150 or more	30%

☐ **Domestic or household employees recruited from Alaska, Hawaii, and another country**

- ☐ I will only charge a fee after a written contract is signed by both parties.
- ☐ The total maximum fee that the agency will charge for any placement will not exceed 11% of the employee's agreed or anticipated first full year's wages and, of this maximum, the agency will not charge the employee more than 25%.
- ☐ If an employee is provided meals or lodging, the value of the meals or lodging will not be included in determining the employee's first full year's wages.
- ☐ The agency fee charged to the employee and any advances made to the employee to pay for transportation, visa fee, medical examination, and any other advance specifically authorized by the DCWP Commissioner will be payable at a rate not greater than six (6) equal installments at the end of each of the first six months of employment.

☐ **Domestic dayworkers whom the agency transports to the place of employment and provides at least one meal at no charge to the employee**

- ☐ The agency will charge the employer the fee for this type of employment, and the fee cannot be greater than the maximum amount allowed based on the daily wage paid to the employee. See the chart below.

Daily Wage	Maximum Fee
at least \$11.00 but less than \$12.00	\$4.00
at least \$12.00 but less than \$13.00	\$4.25
at least \$13.00 but less than \$14.00	\$4.50
at least \$14.00 but less than \$15.00	\$4.75
at least \$15.00 but less than \$16.00	\$5.00

For each dollar of daily wage less than \$11.00, the agency will reduce the fee by 25 cents.

For each additional dollar of daily wage beginning at \$16.00, the agency can charge an additional fee of 25 cents.

The value of meals will not be included in determining the employee's wages.

Class A1

☐ **Non-professional trained or skilled industrial workers or mechanics**

- ☐ When the placement is for a period of 10 weeks or more, the gross fee I charge will not exceed one week's wages.
- ☐ When the placement is for a period shorter than 10 weeks, the gross fee I charge will not exceed 10% of the wages or salary actually received.

Section 14: Collection of Fees (For Class B, D Placements Only)

GBL Section 185

You must complete this section if you place or attempt to place job applicants in Class B and/or Class D types of employment.

- ☐ I will not collect fees from job applicants seeking placement in Class B and/or Class D types of employment without a written and signed contract.

Class B

- ☐ **Commercial, clerical, executive, administrative, and professional employment; all employment outside the continental United States; and all other employment not included in Classes A, A1, C (theatrical engagements), and D**
- ☐ The gross fee I charge will not exceed the following as a percentage of the first full month's salary or wages:

First Full Month's Salary or Wages	Maximum Gross Fee
Less than \$750	25%
at least \$750 but less than \$950	35%
at least \$950 but less than \$1150	40%
at least \$1150 but less than \$1350	45%
at least \$1350 but less than \$1500	50%
at least \$1500 but less than \$1650	55%
\$1650 or more	60%

- ☐ For placements in which the applicant will be paid on a straight commission basis or on the basis of a drawing account plus commissions, the gross fee I charge will be based on the percentages in the chart above applied to one-twelfth of the estimated first year's earnings amount, as estimated by the employer.

When the placement is for a period shorter than four months, the gross fee I charge will not exceed 50% of the fee outlined in the chart or 10% of the wages or salary received, whichever is less.

Class D

☐ **Nursing Engagements**

- ☐ The gross fee I charge will not exceed, for a single engagement, the following:

For private nursing duty:

- Five percent (5%) of the salary or wages received each week for the first 10 weeks of that engagement only. The fee will be due at the end of each week.

For any other nursing duty:

- The amount of the first week's salary or wages unless the first year's computed salary or wages (to be derived for at least one year's employment) is \$2500 or more. In this case the gross fee I charge will not exceed the following as a percentage of salary or wages:

First Year's Salary or Wages	Maximum Gross Fee
at least \$2500 but less than \$3000	2 ½ %
at least \$3000 but less than \$3500	3%
at least \$3500 but less than \$4000	3 ½ %
at least \$4000 but less than \$4500	4%
at least \$4500 but less than \$5000	4 ½ %
\$5000 or more	5%

Section 15: Financial Records

6 RCNY Section 5-241

- ☐ I will maintain at my agency and have available for inspection by DCWP my agency's financial records on a monthly or quarterly basis. The records will be updated within 30 days after the end of each month or quarter.

Section 16: Inspections, Investigations, and Consumer Complaints

GBL Section 189(2)

Code Section 20-114

6 RCNY Sections 1-12, 1-14, and 1-16

- ☐ I will cooperate with all DCWP inspections and investigations of my agency.
- ☐ I will produce all books, records, registers, and documents I am required to maintain for inspection by DCWP, upon request. Records may be produced electronically.
- ☐ I will comply with and respond to any *subpoena duces tecum* DCWP issues to my agency.
- ☐ I will make all reasonable efforts to resolve any complaints that consumers file with DCWP and will respond in writing to DCWP within 20 days of receiving notice of a complaint.

Additional Comments

If you feel that you need to provide more information for any of your answers in the preceding sections, please use the space below to do so. Attach additional sheets as necessary.

[illegible]

PART IV

Certification:

I am authorized to complete and submit this Self-Certification. I have reviewed the entire Self-Certification. To the best of my knowledge, this Self-Certification is true, correct, and complete.

If any of the information in this Self-Certification changes, the employment agency must inform the Department of Consumer and Worker Protection of those changes in writing.

This certification shall be deemed executed in the City and State of New York and shall be governed by and construed in accordance with the laws of the State of New York (notwithstanding New York choice of law or conflict of law principles) and the laws of the United States.

FAILURE TO RETURN OR FULLY COMPLETE THIS SELF-CERTIFICATION:

If you do not return or fully complete this Self-Certification, the Department of Consumer and Worker Protection may deny your license.

PENALTY FOR FALSE STATEMENTS:

It is against the law to make a statement in this Self-Certification that you know is false. If you make a statement that you know is false, you may be punished.

Under Sections 210.45 and 175.30 of the New York Penal Law, you may be:

- fined up to \$1000 and / or
- sent to jail for up to one year

Under Section 175.35 of the New York Penal Law, you may be punished if you:

- make a statement that you know is false and / or
- make the statement because you intend to mislead the Department of Consumer and Worker Protection

Under Section 175.35 of the New York Penal Law, you may be:

- fined up to \$5000 or
- fined an amount that is twice the amount of money you received by making the false statement and / or
- sent to jail for up to 4 years

The Department of Consumer and Worker Protection may also punish you for making a false statement on this Self-Certification. These punishments may include:

- fines or penalties of up to \$500 for each false statement
- permanent loss (revocation) of your license

By signing below, I certify that the statements in this Self-Certification are true and correct.

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 DCWP 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/dcwp .
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