



DEPARTMENT OF CONSUMER AND
WORKER PROTECTION (DCWP)
LICENSING CENTER
42 Broadway, Lobby
New York, NY 10004

NYC SMALL BUSINESS
SUPPORT CENTER
90-27 Sutphin Blvd, 4th Floor
Jamaica, NY 11435

By Appointment Only Hours:
Monday-Thursday: 8 a.m. – 4 p.m.
Last appointment: 3:30 p.m.

By Appointment Only Hours:
Tuesday-Thursday: 8 a.m. – 4 p.m.
Last appointment: 3:30 p.m.

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.

You must complete the *full* Theatrical Employment Agency Self-Certification, which is available at nyc.gov/BusinessToolbox, if:

- You have not previously submitted to DCWP a Theatrical Employment Agency Self-Certification. OR
- Your agency has undergone a change in ownership. You must notify DCWP within 30 days if your business undergoes a change in ownership.

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.

Legal Name of Business:	
Business’s Trade or Doing-Business-As (DBA) Name, if applicable:	
DCWP 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, member, 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, member, 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 5-259
 - 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 can access the above laws and rules via nyc.gov/dcwp. (Click “About,” then “Laws.”)

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

Contracts, Audition/Interview Information, 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” or “Agreement” written or printed clearly at the top AND
 - Name, address, telephone number, and DCWP license number of my agency AND
 - Name and title of the individual executing the contract on behalf of my agency AND
 - Name of the artist AND
 - Type of work the artist will perform AND
 - Gross commission or fees the artist will pay to my agency AND
 - All terms and conditions associated with the artist’s payment of such commission or fees

Audition/Interview Information

- I understand that the Audition/Interview information must be provided separate from the contract document.
- At the time of each audition or interview for specific employment, I will give each artist the following information by paper or electronic communication:
 - Name and address of the person to whom the artist is to apply for employment AND
 - Type of work the artist will perform AND
 - Anticipated rate of compensation, where it is known prior to the audition or interview AND
 - Other material terms and conditions of the employment known by my agency prior to the audition or interview

Receipts

- I will give each job applicant who pays a fee a receipt that includes all of the following:
 - 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 fee or other charge on behalf of my agency AND

- A notice 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.

Maintenance of Contracts, Audition/Interview Information, and Receipts

- I will maintain at my agency and have available for inspection by DCWP all completed contracts, audition/interview information, and receipts I issued for three years.

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 artists 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

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 artist 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 an artist'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, an artist'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.

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.